

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

CATINA PARKER, as  
Personal Representative  
of the Estate of Leonard  
Parker, Jr., Deceased,  
Plaintiff,

vs.

No. 1:21-cv-00217

CITY OF GULFPORT, a  
municipal corporation;  
JASON CUEVAS, in his  
individual and official  
capacity; and JOHN DOE  
OFFICERS #1-5 in their  
official and individual  
capacities,  
Defendants.

The video-recorded deposition of  
JOHN STAMM, P.E., called by the Defendant for  
examination, taken pursuant to notice and  
pursuant to the Federal Rules of Civil Procedure  
for the United States District Courts pertaining  
to the taking of depositions, before Gina M.  
Sylvester, Registered Professional Reporter, at  
321 North Clark Street, Chicago, Illinois, on  
September 28, 2023, commencing at 11:09 a.m.  
Reported By: Gina M. Sylvester, CSR, RPR  
License No: 084-004856



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1 MR. WHITFIELD: So this is the deposition of  
2 John Stamm. And we are here together in the --  
3 the case of Parker versus the City of Gulfport  
4 and Jason Cuevas. And pursuant to the rules,  
5 what we did is, we sent a deposition notice to  
6 the plaintiff's counsel in this particular case,  
7 and hopefully that was forwarded on to you,  
8 Mr. Stamm.

9 Before we get started in talking about  
10 all of that stuff, pursuant to the rules, the  
11 local rules require at least that there be a --  
12 kind of a panoramic view of the room before we  
13 get started. So we have it, y'all have it.  
14 Everybody is seeing each other in a panoramic  
15 view.

16 And then now, what we can do, Bhavani,  
17 is we can focus in on the witness. Okay?

18 MS. RAVEENDRAN: Yep. I'll do that right  
19 now.

20 MR. WHITFIELD: Good deal. I don't know that  
21 I can do the same with me, nor would I want to  
22 because the less you see of my face, the better  
23 -- I've got face for radio. Okay?

24 That's pretty cool right there, to zoom



1 in like that. That's kind of neat. I've got to  
2 get that camera. Is that something that I can  
3 get at Best Buy?

4 MS. RAVEENDRAN: Yes.

5 MR. WHITFIELD: Okay. I'm there today.

6 Okay. So, Ms. Court Reporter, would  
7 you please swear in our witness, please?

8 JOHN STAMM,  
9 having been first duly sworn, was examined and  
10 testified as follows:

11 EXAMINATION

12 BY MR. WHITFIELD:

13 Q. Mr. Stamm, hey, my name is Bill  
14 Whitfield. I represent Jason Cuevas in a case  
15 that's filed down here in the United States  
16 District Court, Southern District of  
17 Mississippi, Southern Division. The title of  
18 the case is Catina Parker, as Personal  
19 Representative of the Estate of Leonard Parker  
20 versus the City of Gulfport and Jason Cuevas, in  
21 his individual and official capacity. The cause  
22 of action number of that case is  
23 1:21-CV-00217-HSO-BWR.

24 we forwarded and filed, actually, a



1 copy of the notice of deposition in this case  
2 for today for 10:30. Unfortunately, we had some  
3 technical difficulties which has delayed us, and  
4 hopefully, that will not, in turn, delay you.

5 But as part of that notice of  
6 deposition, Mr. Stamm, there were several things  
7 that we had asked under Rule 30(b)(5), which may  
8 not mean a whole lot to you, the rule number,  
9 but there is an attachment that was attached to  
10 your deposition notice.

11 Have you had a chance to look at the  
12 deposition notice since we had filed it and sent  
13 it to the lawyer that has hired you?

14 A. I have.

15 Q. Okay. All right. Did you happen to  
16 see those items that were requested as part of  
17 the deposition process?

18 A. I did.

19 Q. Okay. So you have produced and we  
20 received this morning -- and that may have been  
21 another reason why we weren't able to get in  
22 here, you know, earlier to kind of test out our  
23 system, because we were looking at several  
24 things that you had produced, and I'm going to



1 deal with some of them.

2 But as far as the items that were  
3 produced, we have made a -- like, an index of  
4 them. I got my paralegal to make an index of  
5 the things that were produced. And what I'll do  
6 is, I'll just kind of run down the index items.  
7 It's kind of one page, and maybe it leaks over  
8 to the next page, a couple of things. I'll just  
9 kind of go over them for the record.

10 MR. WHITFIELD: And, then, Ms. Court  
11 Reporter, what I may want to do is, I may want  
12 to send you this kind of index of the items that  
13 were produced that we're going to go over, and  
14 attach that as the next exhibit.

15 And, Bhavani, what I'm going to do is,  
16 I'm going to start with Exhibit No. -- I think  
17 it's 52.

18 THE COURT REPORTER: Yes.

19 MR. WHITFIELD: I think it's Exhibit 52.

20 Do you have 51, and then we're going to  
21 start at 52? Is that how you're doing it?

22 (Brief discussion off the  
23 record.)

24 MS. RAVEENDRAN: So, Bill, do you mind





1 telling us which one you want as 52? I printed  
2 them.

3 MR. WHITFIELD: Here's what we'll do: Let's  
4 make the deposition notice, Gina and Bhavani,  
5 the deposition notice itself, the next exhibit,  
6 which would be 52.

7 (Brief discussion off the  
8 record.)

9 MR. WHITFIELD: We can pull up the items that  
10 we had requested be brought, we can pull that  
11 up, or you can go ahead and get your copy off  
12 your desk and then you can show it to Mr. Stamm.

13 MS. RAVEENDRAN: You can pull it up. That's  
14 fine.

15 MR. WHITFIELD: All right. Let's pull it up.  
16 So what I'll do is, I'll call the  
17 deposition notice itself Exhibit No. 52. Okay?

18 (Stamm Exhibit No. 52 marked.)

19 MR. WHITFIELD: And if you would, pull up the  
20 list.

21 BY MR. WHITFIELD:

22 Q. Can you see that list, John?

23 A. I can.

24 Q. Okay. It may not -- can you read it or



1 can you see it?

2 A. I can read it -- yeah, that's better.

3 Q. Okay. All right. Yeah, it was a  
4 little small from our end as well.

5 So what we did is, we kind of put  
6 together a list of things that we got this  
7 morning. And I'm, you know, going to go over  
8 this list with you that we asked you to bring,  
9 and let's maybe just see if we can't kind of do  
10 a little timeline between items that were  
11 requested versus those items that were produced.  
12 okay?

13 So the first item that we asked you to  
14 produce was -- it says, Produce, in separately  
15 segregated fashion, the document production,  
16 discovery and depositions which the plaintiff's  
17 designation represents were reviewed by John  
18 Stamm prior to formulating his opinions and as  
19 the basis of his opinions.

20 Now, what we got this morning was a  
21 list of things in the sub- -- well, we didn't  
22 get a list of things, we got items, and we  
23 listed them. And probably, they would all fit  
24 under relatively small categories.



1 One of them was identified as 6.15.23  
2 Site Inspection. I don't know that there was  
3 anything that was particularly intended by the  
4 monicker of 6.15.23 Site Inspection, but it's  
5 got under that subcategory drone photos and icon  
6 photos, Runs 1 through 7 videos, Stamm at scene,  
7 and then scanned data, night panoramic pictures.  
8 And then the last under site inspection would be  
9 VBox data of runs. So those five things were  
10 under site inspection identified as 6.15.23.

11 Is that -- did you put together that  
12 information or that data on 6/15/23; in other  
13 words, June 15, '23?

14 A. So I went to the site on June 15th,  
15 2023, and that folder had the documentation and  
16 data that I collected during that site  
17 inspection.

18 Q. Okay. That's fair enough. That's what  
19 I -- that's what I had expected, but I wanted to  
20 make sure that my assumption was correct.

21 The drone photos that we have gotten --  
22 by the way, are you familiar with the federal  
23 licensing requirements for operating a drone?

24 A. Yes.



1 Q. Are you a licensed person to actually  
2 operate a drone?

3 A. I am.

4 Q. Okay. I don't know what the  
5 certification process is, but do you have to be,  
6 like, certified by the FAA to operate a drone?

7 A. Yeah, there's an exam that you have to  
8 pass.

9 Q. Okay. So when you passed it, I mean,  
10 do you get, like, a license or do you get a  
11 certification?

12 A. I mean, I have, like, a number that I'm  
13 certified.

14 Q. Okay.

15 A. And I guess it's a pilot's license.  
16 It's called an unmanned aerial device, I think.  
17 UA -- oh, unmanned aerial vehicle.

18 Q. UAE? UAE?

19 A. I think V, as in Victor.

20 Q. V? Okay.

21 A. But, yeah, there is a license. So my  
22 pilot's -- like, a, quote, pilot's license is  
23 tied to the -- we'll call it a drone, to keep it  
24 simple, that I fly.



1 Q. Okay. So the drone photos, though,  
2 that were done -- that just popped in my head.  
3 I'm sorry for digressing -- that was done on  
4 6/15/23, June 15, '23?

5 A. Correct.

6 Q. Okay. And then the Nikon photos, that  
7 would have been done by you on June 15 of '23?

8 A. Yes.

9 Q. Okay. And then it's identified, at  
10 least on the files that we got, Runs 1 through 7  
11 videos.

12 Those were done also on June 15, 2023?

13 A. Correct.

14 Q. Did you answer?

15 A. Yes, correct.

16 Q. Okay. Yeah, there is a little bit of a  
17 delay.

18 Scanned data, night panoramic pictures  
19 of scene area, that would have been done on June  
20 15, '23?

21 A. So the scanned data, yeah. The night  
22 panoramic photos, I'm not sure what that is. I  
23 didn't take any nighttime photos. I wasn't  
24 there during the night.



1 Q. Okay. Okay. Okay. So these  
2 particular subcategories, that's how they were  
3 given to us, so I don't think that we actually  
4 renamed any of these titles. So I don't know  
5 where they came from, but I know they didn't  
6 come from us.

7 So you're saying that the scanned data,  
8 the night panoramic pictures of scene area, you  
9 wouldn't have any night pictures of scene area?  
10 Is that what you're saying?

11 A. Yeah, it doesn't sound familiar. I was  
12 there during the day. I'm not sure what -- I'd  
13 have to look -- you'd have to put it on the  
14 screen. I'm not sure what the night panoramic  
15 photo is.

16 Q. Okay. The last thing under site  
17 inspection is VBOX data of runs -- it says  
18 "runs," but I think it means Runs 4 through 6.

19 Does that mean anything to you?

20 A. Yes, that's --

21 Q. Okay.

22 A. Do you want me to explain what a VBOX  
23 is?

24 Q. Briefly, briefly.



1 A. It's a GPS data logger, so it tracks  
2 the location and you can -- it also monitors  
3 speed and distance traveled.

4 Q. Okay. Is this the first time, on June  
5 15 of 2023, that you came down to actually look  
6 at the site? Is that the first and only time  
7 that you -- that you saw it?

8 A. Yes.

9 Q. Okay. All right. When were you  
10 retained in this case?

11 A. I would have to check the invoice. But  
12 I know --

13 Q. Approximately, approximately.

14 A. Let's see, my report's June 30th. So  
15 early June, late May, something like that.

16 Q. Okay. of 2023?

17 A. Yes.

18 Q. Okay. The next subcategory appears to  
19 be a compilation of open source data on the  
20 truck, 2014 GMC Sierra 1500. And I'll just go  
21 down then, because I've got some questions that  
22 I want to ask you about.

23 And, by the way, under that  
24 subcategory, would that have been data and items



1 that you would have pulled after being retained  
2 in May or June of this year?

3 A. Yes.

4 Q. Okay. Have you ever worked for  
5 Ms. Bhavani before?

6 A. No, I have not.

7 Q. Have you ever worked for anybody in  
8 the -- I think it's the Romanucci firm?

9 A. Oh, well, I guess -- yeah, I was  
10 thinking of -- I guess in the other -- the other  
11 matter you were involved.

12 So, yeah, I have worked with them on  
13 two other matters.

14 Q. Okay. The firm or with Bhavani?

15 A. One other matter with Bhavani; the  
16 firm, two other matters. So three total  
17 including this one.

18 Q. Okay. So one other matter with  
19 Ms. Raveendran, and then you've got two others  
20 going on with other members of the firm, right?

21 A. You said Mr. Ingram?

22 MS. RAVEENDRAN: No, my last name.

23 THE WITNESS: Oh, sorry.  
24





1 BY MR. WHITFIELD:

2 Q. Raveendran would be Bhavani.

3 A. Yeah, sorry, I didn't -- actually, I  
4 don't know her last name.

5 So I had three total with the firm, two  
6 of them with Bhavani, one with someone else at  
7 the firm.

8 Q. Oh, okay. So two with Bhavani, and  
9 then one with somebody else from the firm for a  
10 total of three for the firm?

11 A. Correct.

12 Q. Okay. The other matter that you are  
13 working on with Bhavani, would that have  
14 predated May or June of 2023?

15 A. Yes.

16 Q. Okay. Can you give me just a rough  
17 estimate about what year and what month you  
18 would have been retained on in the other matter?

19 A. It's within the last couple of years.  
20 I really don't have a number.

21 Q. Okay. That narrows it down.

22 So since COVID began?

23 A. I think so.

24 Q. Okay. So since COVID?



1 A. Sounds reasonable, right?

2 Q. Was the other matter an auto accident?

3 A. It involved an auto accident.

4 Q. Okay. Did it involve you giving  
5 opinions as a motor vehicle accident  
6 reconstructionist?

7 A. I haven't given opinions in that case.

8 Q. Oh, okay. All right. So you haven't  
9 been deposed then, I take it, right?

10 A. Correct.

11 Q. Okay. So it involves another accident,  
12 auto accident, right? Was it an auto accident?

13 A. Yes.

14 Q. Okay. When you say "auto accident," I  
15 guess that's kind of like beauty being in the  
16 eyes of the beholder. Auto accidents can happen  
17 between two vehicles.

18 Was it basically a multi-vehicle auto  
19 accident or maybe a single-car auto accident?

20 A. There was two vehicles in the  
21 collision.

22 Q. Okay. Okay. The other matter that  
23 you're working on with someone else in her firm,  
24 was that -- is that also an auto accident-type



1 case?

2 A. It is. But there's only -- I guess it  
3 was a vehicle/multi-pedestrian accident.

4 Q. Okay. So one vehicle, one pedestrian?

5 A. There were several pedestrians.

6 Q. I'm sorry?

7 A. There were several pedestrians.

8 Q. Oh, several pedestrians. Okay. I  
9 missed the "several" part.

10 Were you deposed in that case or have  
11 you been deposed in that case?

12 A. No.

13 Q. Did you offer any opinions in that  
14 case?

15 A. I have not.

16 Q. Okay. So no opinions of record and no  
17 depositions in the other matter for someone else  
18 in her firm.

19 And then the other matter that you're  
20 helping -- or at least serving as an expert for  
21 Bhavani is a two-vehicle auto accident where  
22 there's been no opinions offered and no  
23 deposition given.

24 Have I summarized that okay?



1 A. That sounds correct.

2 Q. Okay. All right. Now, back on the --  
3 kind of the subcategories of the material that  
4 we received this morning, there's approximately  
5 ten items all pertaining to the vehicle, a 2014  
6 GMC Sierra 1500. And let me just kind of run  
7 down that list real quick and then maybe you can  
8 -- I've got a couple of questions, I guess,  
9 about some of this stuff.

10 There's the EpicVIN for the vehicle,  
11 which we're going to -- we're going to mark and  
12 use that for examination. And I've got that  
13 here, photos of the Parker truck.

14 Where did you obtain photos of Parker's  
15 truck?

16 A. So are you talking about within the  
17 EpicVIN folder?

18 Q. What I've got -- what I've got are  
19 separate pictures -- well, they would have been  
20 in the 2014 GMC Sierra 1500 subtitle on the --  
21 on the items that we got. And I do have a  
22 separate folder that simply has photographs in  
23 it of the -- I take it, it's of the GMC Sierra  
24 pickup. There's about ten of them, maybe eight



1 of them.

2 Do you remember?

3 A. Yeah, so I think I know what you're  
4 talking about. So EpicVIN is a website. It's  
5 kind of like CARFAX, if you're familiar with  
6 CARFAX. You put in the VIN and it autogenerates  
7 a report. And towards the bottom of the report,  
8 it includes photos of the vehicle potentially if  
9 it -- it doesn't always, but sometimes if the  
10 vehicle went out for, like, a salvage auction,  
11 or sometimes even if, you know, the dealer --  
12 you know, there's no accident, the dealer just  
13 puts it for sale and they have photos on the  
14 internet.

15 So EpicVIN is like an aggregator, and  
16 it -- they found those photos, and so I just  
17 included them in the folder, the EpicVIN folder.

18 Q. You know, I don't know enough about  
19 reading the kind of collateral data to get some  
20 idea about the date of these vehicles.

21 Do you know when these pictures were  
22 taken?

23 A. In the EpicVIN report, there should be  
24 a date associated with those photos.



1 Q. okay.

2 MS. RAVEENDRAN: Bill, Kaara, is there any  
3 way you could share, you know, the file on the  
4 screen?

5 MR. WHITFIELD: Sure, yeah.

6 MS. RAVEENDRAN: Because then he can walk you  
7 through it, I think, a little easier. He's  
8 trying to, like, guess from memory what the name  
9 of those files were.

10 THE WITNESS: Yeah, I'm thinking of the file  
11 structure in my brain.

12 MR. WHITFIELD: Yeah, we can do that. We can  
13 do that.

14 MS. RAVEENDRAN: Thank you.

15 BY MR. WHITFIELD:

16 Q. There were several documents that were  
17 identified very specifically about the truck.  
18 You know, one of them was CARFAX and the other  
19 one was FAXVIN.

20 Does FAXVIN sound familiar to you,  
21 John, that would have been associated with those  
22 pictures?

23 A. So if you go into the 2014 -- yep,  
24 click on that folder right there. Under



1 EpicVIN --

2 Q. okay.

3 A. -- open that folder.

4 So, yeah, see the date, 8/31/20? So  
5 that's August 31st, 2020. And I got that date  
6 from the EpicVIN report. So I can't, you  
7 know --

8 Q. okay.

9 A. -- verify that that's the date of these  
10 photos. But if you go back one folder and click  
11 on the EpicVIN PDF.

12 Q. okay.

13 A. So start scrolling down.

14 Q. Yeah, I do have that one printed. I do  
15 have that one printed out. Let me pull it real  
16 quick.

17 So when you say "EpicVIN," that picture  
18 -- that document that we've got pulled up there,  
19 that would have been associated with these  
20 pictures?

21 A. Yes, this document. So if you scroll  
22 down on the PDF towards the bottom --

23 Q. okay.

24 A. -- you will -- at least you should



1 see --

2 Q. How far do we scroll down?

3 A. Probably most of the way. You'll see,  
4 like, thumbnails of those photos.

5 Q. Oh, I see them. I see them.

6 MR. WHITFIELD: It's about Page 5 or 6, sales  
7 history. Bottom of -- yeah, just keep on going  
8 till you see -- it's going to have sales --  
9 there you go, right there.

10 THE WITNESS: Right there.

11 So do you see --

12 MR. WHITFIELD: Pull it up so sales history  
13 is on the top.

14 THE WITNESS: See where it says, was put on  
15 sale August 31st, 2020?

16 MR. WHITFIELD: Oh, okay. Okay.

17 THE WITNESS: So what I did is, I made a  
18 subfolder, and then I just right-clicked on  
19 these photos just to save them within -- just a  
20 little bit larger.

21 BY MR. WHITFIELD:

22 Q. Sure. Got them -- we got them. I see  
23 what you're talking about.

24 So those photographs would have been





1 essentially open-source photographs that  
2 somebody associated with the EpicVIN, they would  
3 have taken that picture, right -- those  
4 pictures?

5 A. So they would have obtained them. I  
6 think they're like an aggregator. I think they  
7 somehow work with salvage auctions. I'm not  
8 sure how they find their information, but they  
9 obtained it.

10 Q. Do we have any way of knowing, John,  
11 when the picture was specifically taken as  
12 opposed to them being associated with the title  
13 of "Was put on sale August the 31st, 2020"?

14 A. Not that I know of. When you click on  
15 the individual photos, there's no metadata to  
16 tell you when the photo was taken.

17 Q. Right. Okay.

18 I take it, then, that since we are kind  
19 of adopting the notion that the vehicle was sold  
20 -- or put on sale August the 31st, 2020, and  
21 maybe sold shortly after that, that you've not  
22 had a chance to actually inspect the vehicle?

23 A. I have not.

24 Q. Okay. Have you made an effort to reach



1 out to somebody to try to get some availability  
2 of this vehicle to inspect or to look at?

3 A. I have not.

4 Q. Okay. We're going to -- we're going to  
5 come back to that because there is some things  
6 on that one that I do want to ask you about.  
7 Thank you for that explanation about the  
8 pictures.

9 okay. So we're still on the  
10 subcategories. And we've got photos of Parker's  
11 truck that we're going to talk about. The 2-9  
12 GMC manual, the auto unlock, I'm not real sure  
13 that I need to deal with that.

14 The next that you produced was GMC  
15 product information, 2014 GMC Sierra 1500. I  
16 looked at that, and I didn't really see anything  
17 in there that I needed to ask you specifically  
18 about.

19 The next item was FAXVIN for a 2014 GMC  
20 Sierra. And I do have that, and that's another  
21 document that I will want to talk to you about.  
22 I have that here.

23 CARFAX report, I've got that as well.  
24 I do want to talk to you about that one.



1 MS. LIND: (Indiscernible.)

2 MR. WHITFIELD: Sure, okay. Yeah. Do you  
3 want to just click open that document right  
4 there, the 2014? Right there.

5 BY MR. WHITFIELD:

6 Q. Yeah, see all the things that I'm going  
7 over with you, John, they're listed here, but  
8 they're as produced. Okay? They were produced  
9 to us like this with this listing.

10 Make sense?

11 A. Yep.

12 Q. Okay. All right. So I'm kind of going  
13 down the list.

14 Universal VIN decoding and vehicle info  
15 on 2014, I looked at that. You know, it didn't  
16 really seem impressive to me enough to talk to  
17 you about.

18 Then the owner's manual, a 2014.

19 Then the VIN decoder for equipment  
20 summary and tech specs. Do you see that?

21 A. Yes.

22 Q. Okay. That kind of closes out on the  
23 2014 GMC Sierra 1500.

24 All of these things would have been



1 obtained or, you know, in some instances, maybe  
2 even generated by you since May or June of this  
3 year, correct?

4 A. Correct.

5 MR. WHITFIELD: All right. Let's go to the  
6 calculations.

7 BY MR. WHITFIELD:

8 Q. That would have been another  
9 subcategory of things that were produced to us.  
10 I see that there are about three pages there.  
11 One of them is kinematics, one of them is  
12 tractive force, and the other one is work  
13 energy. Okay? And that would have been  
14 produced by you in connection with our 30(b)(5)  
15 request.

16 And, again, that material was pulled by  
17 you since you were retained, correct?

18 A. Correct.

19 Q. The next subcategory is of deposition  
20 summaries. So what I'm showing you here is the  
21 identity of those summaries as produced. Our  
22 deposition summary just simply has the name.

23 The first one is Stephanie Baldwin,  
24 next is Jason Cuevas, then Angela Jackson



1 followed by Geraldine McNair, then Maxine Owens,  
2 and then the final two are Brandon Teates and  
3 Derrian Tremaine. I think he's Markray. I  
4 think that's his last name.

5 So did you -- did you read all these  
6 depositions, or did somebody summarize those  
7 depositions for you in-house?

8 A. So some of them, I read and summarized  
9 myself. Some of them were initially summarized  
10 by a colleague, a couple colleagues, but then I  
11 went back and checked the relevant portions of  
12 the depositions.

13 Q. Okay. When you say "a colleague,"  
14 would that have been an engineer colleague,  
15 somebody that's a P.E. colleague?

16 A. You know, I'd have to check the invoice  
17 to say that. We had an intern, I think, this  
18 summer. He's studying mechanical engineering at  
19 University of Purdue. I think he read a couple  
20 of them. We have another colleague named J.P.  
21 who's not an engineer, but he does a lot of  
22 deposition summaries on fact witnesses. I think  
23 both of them summarized one or two.

24 Q. Is J.P. an employee of yours?



1 A. Not of me, but he works at Fusion  
2 Engineering.

3 Q. Okay. So he's an employee of Fusion  
4 Engineering?

5 A. Correct.

6 Q. Okay. All right. You're an employee  
7 of Fusion Engineering?

8 A. I am.

9 Q. Okay. Do you own any particular  
10 interest in that entity?

11 A. I do not.

12 Q. Okay. So both you and J.P. are  
13 employees, and then you had a summer intern or a  
14 clerk or something like that that did some of  
15 them?

16 A. Yeah, engineering student.

17 Q. At Purdue?

18 A. Yep.

19 Q. Okay. Which ones do you remember  
20 actually reading and summarizing yourself?

21 A. Brandon Teates, Derrian Tremaine, Jason  
22 Cuevas, I'm trying to think, probably Angela  
23 Jackson. You can -- you can tell how I -- my  
24 file structure is. I put the little underscore.



1 And also, if you open up, for example,  
2 the Jason Cuevas deposition summary.

3 Q. Okay.

4 A. It's not showing on our screen.

5 MR. WHITFIELD: You may have to double-click  
6 it again. You have to do it twice.

7 MS. LIND: (Indiscernible.)

8 MR. WHITFIELD: Huh? Yeah, that's the  
9 summary, right there, of Jason.

10 BY MR. WHITFIELD:

11 Q. So you were about to say whatever it  
12 was that you did -- you knew you did this?

13 A. Yeah, it's just another way -- well,  
14 one, I remember reading his dep. But, two, if  
15 you look in the upper left-hand corner, you see  
16 created by J.J.S., those are my initials.

17 Q. Okay. Fair enough. Okay.

18 MR. WHITFIELD: Okay. So let's go out of  
19 that and go back to the index, the file index.

20 BY MR. WHITFIELD:

21 Q. Okay. So the file index has got those  
22 deponents down there. And the earliest one  
23 seems to be May 24 and then May 25, and then --  
24 actually, May 22nd. May 22nd is the earliest.



1 would that give you any idea by having  
2 a date down there of Tremaine, Derrian -- and  
3 I'm using your name, or at least the name you've  
4 given that folder. would you -- in seeing that,  
5 do you have any better idea about when you were  
6 retained?

7 A. So those dates are the dates the  
8 depositions were taken.

9 Q. Okay. All right. Not the date that  
10 you actually looked at them and summarized them?

11 A. Correct.

12 Q. Okay. Fair enough. That does sound  
13 right.

14 So let's -- by the way, let me ask you  
15 whether you had a chance to actually look at the  
16 video deposition of Mr. Markray?

17 A. I did not look at the video. I don't  
18 remember if it was sent to me or not. I don't  
19 -- but I did not look at the video.

20 Q. Okay. Did you have a chance to look at  
21 the actual video interview that was -- that took  
22 place at the Gulfport police station on the next  
23 morning after this incident occurred?

24 A. With whom?





1 Q. Of Markray, Mr. Markray.

2 A. Yes, I did.

3 Q. Okay. So you did watch that interview  
4 by the officers that were in the room with him?

5 A. Yes.

6 Q. Okay. And I'm going to ask you about  
7 that a little bit more when we get farther into  
8 your deposition.

9 Did you watch the whole thing, even --  
10 because there was a -- kind of a space between  
11 the end of the interview, then the camera ran a  
12 couple of minutes while he's in the room alone,  
13 and then all of a sudden he started talking to  
14 himself.

15 Do you remember seeing that?

16 A. I think I did because I think it was  
17 brought up in his deposition, so I went back and  
18 looked at it.

19 Q. Okay. So when you read his deposition,  
20 it kind of was a prompt to you to go back and  
21 look at that video summary -- or that video  
22 depiction?

23 A. Yeah, I'm not sure if I saw it when I  
24 initially looked at the file or only after it



1 was talked about in his deposition.

2 Q. But you saw it nonetheless, right?

3 A. Yes.

4 Q. Okay. We -- and Bhavani will probably  
5 simply have to confirm this. We had a very,  
6 very difficult time getting all of the MBI file,  
7 and we finally got our hands on it last week and  
8 I think we produced it earlier this week, the  
9 rest of the MBI file, the Mississippi Bureau of  
10 Investigation file.

11 Within that file was a -- I think it  
12 was a car camera in one of the officers' -- I  
13 can't remember who it was, I think it was Cook,  
14 where Mr. Markray is sitting in the backseat of  
15 a patrol car, and as with the later interview,  
16 he was talking to himself.

17 Have you had a chance to look at that?

18 A. That does not sound familiar.

19 Q. Okay. All right. Fair enough.

20 Did you have a chance to actually watch  
21 or look at the video deposition -- the video of  
22 Jason Cuevas's deposition?

23 A. I did not.

24 Q. Okay. Okay. All right. The next



1 subcategory of the things that we were provided  
2 was literature. You know, all well and good.  
3 There's two articles under there. And we can  
4 talk about that. I want to -- I want to  
5 probably talk to you about that when you get  
6 into the CCR in your report. That's probably  
7 going to be relevant to that discussion there.

8 But we did, nonetheless, get two  
9 articles from you. You can confirm that by  
10 seeing that on the screen?

11 A. I see it.

12 Q. Okay. Again, I can't take any type of,  
13 you know, privilege of authorship of how these  
14 documents are called.

15 I take it that that's the name you gave  
16 them to produce them?

17 A. So those articles -- that's just what  
18 they're downloaded as far as --

19 Q. Okay.

20 A. -- their names. Both of those articles  
21 are cited as footnotes in the report.

22 Q. Okay. That's fine.

23 well, the names are different than what  
24 the title is on the computer. And we can get



1 into that, if necessary.

2 But what you're saying is, is that when  
3 you downloaded those articles, that was the name  
4 that they were downloaded as?

5 A. Correct.

6 Q. Okay. Then there is another subtopic  
7 called "vehicle inspections."

8 Do you see that?

9 A. I do.

10 Q. And then under "vehicle inspections,"  
11 there appears to be the -- two different  
12 folders.

13 I take it you created those folders,  
14 right?

15 A. I did.

16 MR. WHITFIELD: why don't you open up the  
17 first one, the top one, so we can just kind of  
18 get an idea about what that is on the video, the  
19 Zoom video recording. Open it up.

20 Can we go back?

21 MS. LIND: Go back, it...

22 MR. WHITFIELD: Bear with us. Technology is  
23 wonderful until it's not.

24 THE WITNESS: I agree.



1 BY MR. WHITFIELD:

2 Q. Yeah, so you can see at the bottom,  
3 there's a lot of thumbnails.

4 MR. WHITFIELD: Any way you can kind of move  
5 through that small bar at the bottom with your  
6 computer? Double-click. There you go.

7 BY MR. WHITFIELD:

8 Q. So, yeah, so I guess these would have  
9 been photographs, if I remember, that were taken  
10 from the MBI, a Brandon Teates?

11 A. No, these were photographs --

12 Q. No? Okay.

13 A. These are photographs that I took of an  
14 exemplar truck down in Louisiana.

15 Q. Got it. Okay.

16 So you found this particular truck  
17 bearing -- in the upper left-hand corner, there  
18 is a -- I guess that's the thing that's on the  
19 inside of the door. It's got the VIN number and  
20 the model and all that stuff.

21 You found that truck in Louisiana, and  
22 you took all these pictures?

23 A. I did.

24 Q. Okay. Did you go look at that truck in



1 Louisiana whenever you were here back in June?

2 A. Yeah, the day before.

3 Q. Okay. You looked at this truck the day  
4 before, before you came here?

5 A. No, so I think I looked at the site  
6 inspection, if I remember, on June 15th. I flew  
7 into Louisiana on June 14th, and I looked at  
8 this exemplar truck on the 14th. I think the  
9 folder said 6/14/23.

10 Q. Okay. And then you came and looked at  
11 the site on June the 15th?

12 A. I think so. Let me...

13 MS. RAVEENDRAN: And for the record, Bill,  
14 he's got a copy of his report in front of him.  
15 He's looking at it, if that's okay with you.

16 MR. WHITFIELD: That's fine, that's fine. If  
17 he's got a way to make that date a little bit  
18 more accurate, that's fine.

19 THE WITNESS: Yeah, June 15th, I looked at  
20 the site and then --

21 BY MR. WHITFIELD:

22 Q. What page are you on, John?

23 A. So on Page --

24 Q. 8?



1 A. Page 20 of my report.

2 Q. Page 20. Okay.

3 A. See Section 7.0?

4 Q. Okay. I see that.

5 A. Yeah, so June 15.

6 Q. I see that.

7 A. And then if you go to Page 26, the top  
8 paragraph says, "On June 14th, I inspected."  
9 That's the truck you're looking at in these  
10 photos.

11 Q. Okay. Now I get it. I think that  
12 connected some dots for me.

13 So on Page 26 of your report, the two  
14 thousand and -- well, there's two down here.

15 Are you looking at your report?

16 A. I am.

17 Q. All right. So under "8.0 Fusion  
18 Engineering Inspection of Exemplar Trucks,"  
19 there two of them under here. One of them is a  
20 2014 and one of them is a 2015.

21 Do you see that?

22 A. Yes. So the photos on the screen right  
23 now are the June 14th, 2023, down in Louisiana.  
24 On June 22nd, I looked at a different exemplar



1 truck up in the Chicagoland area.

2 Q. Okay. Okay. So the one that you  
3 looked at on the 14th would have been the  
4 vehicle in Louisiana?

5 A. Correct.

6 Q. Did -- how did you locate a vehicle --  
7 this particular exemplar, 2015, to even reach  
8 out to somebody to come look at it? Tell me how  
9 you did that.

10 A. Sure. I believe I used a website  
11 called Autotrader. There's a number --

12 Q. Okay.

13 A. There's a number of them. I think I  
14 used Autotrader. And you can filter by  
15 manufacturer, make, year range, trim line, and  
16 so that's what I did.

17 Q. Okay. And then you determined, based  
18 upon using Autotrader, that there was a -- this  
19 2015 was in Louisiana.

20 I guess you would have flown into New  
21 Orleans, right?

22 A. Correct. Yeah, you can also filter by  
23 location, so I put in New Orleans, and then you  
24 can say, you know, within 50 miles, 100 miles.





1 And this one was, you know, somewhere -- a  
2 reasonable driving distance in New Orleans or  
3 just outside.

4 Q. Did you go to, like -- did you go to,  
5 like, a dealer, or did you go to somebody's  
6 house?

7 A. A dealer. Autotrader only has vehicles  
8 for sale. I don't --

9 Q. Okay.

10 A. Yeah, and they're all dealerships. At  
11 least I don't --

12 Q. Okay. So you went to a dealer to go  
13 look at this truck?

14 A. Yeah, I just asked if I could take some  
15 photos, and they said okay.

16 Q. Sure. Okay.

17 Do you remember specifically the name  
18 of the dealer?

19 A. I don't. There might have been a photo  
20 -- if you scroll all the way to the right, I  
21 think I took a photo of the sticker, the for  
22 sale sticker.

23 MR. WHITFIELD: You may have to unclick the  
24 one's you've got.



1 She's going to unclick these.

2 Go all the way to the right. It looks  
3 like there's a, like, a --

4 THE WITNESS: You had it up.

5 MR. WHITFIELD: There you go, right there.  
6 Click that one. There you go.

7 BY MR. WHITFIELD:

8 Q. Nicholson's College Cars. Okay. I  
9 know -- all right. So Marrero, you had to go  
10 across the river to get to this car.

11 Did you go to Nicholson's College Cars?

12 A. I think so, yeah.

13 Q. Okay. All right. Good to know. Okay.

14 The vehicle that you went and looked at  
15 in this particular instance was a 2015. Right?  
16 You know that the vehicle that Mr. Parker was  
17 driving was a 2014 Sierra, right?

18 A. Yes.

19 Q. Okay. So, I guess, did you use  
20 Autotrader to locate a 2014 GMC Sierra 1500?

21 A. So I did look at a 2014 back in  
22 Chicago, but this particular -- you know, the  
23 GMC SLE trim line for the Sierra 1500, the '14  
24 and '15 model years were the same. They didn't



1 make any changes that I could find with my  
2 research online. So it's basically the same  
3 truck.

4 Q. Sure. So -- but the 2014 GMC Sierra  
5 that you looked at, that would have been in the  
6 Chicago area?

7 A. Correct.

8 Q. Did you find this vehicle pretty much  
9 the same way that you found the 2015 down in New  
10 Orleans?

11 A. Yes.

12 Q. Autotrader?

13 A. Yes.

14 Q. Okay.

15 MR. WHITFIELD: Let me see. Would you go  
16 back to the -- go back to the index real quick.

17 BY MR. WHITFIELD:

18 Q. All right. Those -- those all are  
19 pictures of the 2015 that are under the exemplar  
20 inspection, all those right there.

21 Did you take any pictures of the 2014  
22 vehicle?

23 A. Yes. If you go back to "vehicle  
24 inspections," and then the rolling --



1 Q. okay.

2 A. -- the rolling resistance test.

3 Q. Right there?

4 A. The exemplar truck folder at the top.

5 Q. okay.

6 A. That is the 2014.

7 Q. okay. Understood.

8 So those were all -- those are where  
9 the pictures of the 2014 GMC Sierra is that you  
10 inspected up in Chicago --

11 A. Correct.

12 Q. -- correct?

13 A. Yes.

14 MR. WHITFIELD: That one is being pulled up.

15 MS. LIND: I don't know why --

16 (indiscernible).

17 MR. WHITFIELD: Our programs are not liking  
18 each other, John.

19 MS. LIND: No, I got it. It's just the way  
20 it is.

21 THE WITNESS: It's okay.

22 BY MR. WHITFIELD:

23 Q. okay. So there's the photograph of the  
24 2014 that you took -- that you inspected?



1 A. Yes.

2 Q. okay. Did you take these pictures?

3 A. I did.

4 Q. okay. I have a 2014 Chevrolet that  
5 looks just -- Chevrolet truck that looks just  
6 like that. It's not a GMC Sierra. That  
7 particular vehicle looks pretty good at least by  
8 the pictures.

9 Did it look pretty good to you whenever  
10 you came to see it -- whenever you went to see  
11 it?

12 A. Yeah, they had it all detailed and  
13 ready for sale.

14 Q. I got it.

15 Did you happen to -- did you drive that  
16 vehicle? Did you drive it?

17 A. I think in the parking lot a little  
18 bit.

19 Q. okay.

20 A. We did go up and down --

21 Q. Did you, like --

22 A. We did go up and down the road for a  
23 short test drive.

24 Q. okay. All right. Did you happen to



1 notice the number that was on the odometer on  
2 this particular vehicle, 2014?

3 A. I probably took a photo of that. If  
4 not, it should be on the sticker, the for sale  
5 sticker.

6 Q. Okay. Okay. So we're going to try to  
7 open that up here in just a --

8 MR. WHITFIELD: Well, the for sale -- the  
9 sale sticker. It looks like it's that one, the  
10 next one, Kaara, right there. Maybe one over.

11 Is that the one?

12 MS. LIND: No, that's, like, the VIN sticker.

13 THE WITNESS: Yeah, I mean, that's a  
14 description of the features. I'm seeing if  
15 there's a mileage.

16 Yeah, right there. Upper left. It's  
17 kind of hard to read. Just -- you can zoom in  
18 just to the right of "city." I believe  
19 that's --

20 BY MR. WHITFIELD:

21 Q. Oh, I see. Yeah, okay. 116?

22 A. That's what it looks like.

23 Q. Okay. 116,794 miles.

24 MR. WHITFIELD: Get me the -- yeah, the upper



1 left, right there.

2 BY MR. WHITFIELD:

3 Q. Okay. Just out of curiosity, on this  
4 particular vehicle, you did produce one of your  
5 reports that seem to -- let me see if I can find  
6 it. It's the one that we looked at earlier that  
7 had the thumbnails of this particular vehicle at  
8 the bottom of Page 6.

9 And we're going to get to this in just  
10 a minute, and I don't want to have to go through  
11 all the gymnastics of going back and forth and  
12 back and forth.

13 MR. WHITFIELD: Bring us back to the index  
14 there, Kaara.

15 BY MR. WHITFIELD:

16 Q. On one of the documents that you  
17 produced which -- it doesn't have a title. It  
18 just says at the top, "2014 GMC." I think it's  
19 that box something. It looks to me like the  
20 period of time that Mr. Parker owned this car  
21 would have been in 2020. And I can't really  
22 tell whether he would have been the third or the  
23 fourth owner because there's a third owner  
24 that's got an odometer reading of 157,000 miles,



1 and then there's another fourth owner that shows  
2 140,000, and it's the same purchase date in  
3 2020. I don't know how long Mr. Parker would  
4 have owned this truck.

5 Do you know anything about that?

6 MR. WHITFIELD: Can you find that one right  
7 there? It's not CARFAX. It's that 14 MPG up  
8 there at the top.

9 Go up, right there.

10 MS. LIND: This one?

11 MR. WHITFIELD: It's the one right there  
12 that's got the pictures at the bottom.

13 It's getting pulled up, John.

14 THE WITNESS: Sure.

15 MR. WHITFIELD: I think that's the document  
16 -- isn't that the document that you said had the  
17 thumbnails at the bottom of the pages?

18 THE WITNESS: No.

19 MR. WHITFIELD: I'm pretty sure --

20 THE WITNESS: No.

21 MR. WHITFIELD: Huh?

22 THE WITNESS: No, the thumbnails were within  
23 the EpicVIN document, but --

24 MR. WHITFIELD: Yes, that's correct.





1 Go to the EpicVIN, right there. Yeah,  
2 the EpicVIN -- go to that document right there.

3 Click that one up.

4 It's coming.

5 Yeah, that's -- go to the top of it.  
6 Go to the top of that document.

7 There you go.

8 BY MR. WHITFIELD:

9 Q. Can you see that document that is up  
10 there on your screen? At the top, it's got 2014  
11 GMC Sierra.

12 A. I can.

13 Q. Now, I guess I'm assuming -- and maybe  
14 you can confirm this -- that that's VIN number  
15 -- that's the VIN number of the vehicle that was  
16 involved in this particular event?

17 A. It should be. I can confirm it right  
18 now.

19 Q. Right. I'm assuming that --

20 A. Yeah.

21 Q. -- for the reason -- yeah.

22 A. The reason we put it in there.

23 Q. Right, right. I haven't compared it,  
24 but I assume that that would have been your



1 intention at least --

2 A. Yeah.

3 Q. -- in producing this document.

4 So you can see here "Ownership History"  
5 that's roughly toward the bottom of the page.

6 MR. WHITFIELD: Maybe we can pull that up a  
7 little bit higher so we can see the fifth owner  
8 down there. Can you pull that up?

9 BY MR. WHITFIELD:

10 Q. Well, okay. So here's what we're  
11 looking at, ownership history. The first owner  
12 apparently bought it in '14. I guess the reason  
13 that the box itself is communicating four years,  
14 five months, that must have been the first  
15 owner.

16 And then the second owner, in 2018 -- I  
17 don't know when Mr. Parker purchased this  
18 vehicle. I guess it's possible that he could  
19 have purchased it in 2018 with 84,000 miles on  
20 it.

21 Do you know -- do you know when he  
22 would have purchased this vehicle?

23 A. No.

24 Q. Well, in 2020 --



1 A. I --

2 Q. -- there are two boxes.

3 A. But I don't even know if it's been  
4 established that he is the owner of the vehicle.  
5 I think it was implied. But I haven't seen any,  
6 like, sales records or documents stating that he  
7 was the owner. I think it was implied, though.

8 Q. Right. well, I'm making the same  
9 assumption. Okay?

10 Now, this event happened in 2020. And  
11 there are two boxes down there, a third and a  
12 fourth owner. It may very well be that these  
13 are exchanges made after the event in 2020.  
14 That would stand to reason.

15 However, I wouldn't think that the  
16 mileage would be, you know -- there would be  
17 that big of a difference in the mileage if  
18 you're talking about this vehicle being  
19 purchased from salvor to salvor. So maybe you  
20 can help me out understanding why this document  
21 has got such a disparity between the number of  
22 the miles on the vehicle -- on the same vehicle  
23 in 2020 between the third and the fourth owner.

24 A. So I don't know how they pull those



1 numbers. I think that CARFAX does a better job  
2 outlining the history of who owned the vehicle.

3 Q. Right. We'll get -- we've got that and  
4 we can pull that up. You know, we'll pull that  
5 up in just a minute.

6 But if you look down there, there's the  
7 fifth owner. And the fifth owner is purchasing  
8 the vehicle in 2021, which we know is the next  
9 year after this event. And it's got 140,000  
10 miles on it, which makes me think that maybe  
11 140,000 is more truer than 157.

12 would that -- actually, the second and  
13 the third owner, 156 to 157. So I'm thinking --  
14 do you know whether that period of time between  
15 2018 to 2020, the second to the third owner,  
16 reflects the years of ownership of Mr. Parker?  
17 Do you know that or not know that or...

18 A. I don't know --

19 Q. No?

20 A. I don't know when he purchased it and  
21 what owner he was, assuming he did purchase it.

22 MR. WHITFIELD: Okay. Let's pull up the  
23 CARFAX. The CARFAX is on that subline.

24 MS. LIND: (Indiscernible.)



1 MR. WHITFIELD: No, no, we haven't pulled  
2 that up yet. So just go out of all of -- in  
3 fact, why don't you shut all those down. That  
4 might be what's dragging us down.

5 MS. LIND: Yeah. So do I go --

6 MR. WHITFIELD: Go back to the index of this  
7 vehicle.

8 There you go, right there.

9 BY MR. WHITFIELD:

10 Q. Did you happen to -- when you reviewed  
11 this document, I guess when you pulled it down,  
12 did you review it to determine when Mr. Parker  
13 would have bought this vehicle, CARFAX?

14 A. No, that wasn't really my reason.  
15 Basically, whenever I have a case that has a  
16 vehicle involved, the first thing I do is  
17 download the CARFAX and the EpicVIN report. I  
18 think at the time I was retained, it was still  
19 unclear where this truck was, and so I just --  
20 it's just like an initial -- let's just find out  
21 everything I can about the vehicle right away.

22 Q. Do you know why the truck was  
23 unavailable to you? Were you given any kind of  
24 an explanation as to why this truck is not



1 available to you to inspect?

2 A. No.

3 Q. Now, there is, on Page 8 of 12 --

4 MR. WHITFIELD: Can you pull over to Page 8  
5 of 12? Are you on 8 of 12?

6 MS. LIND: Yes.

7 MR. WHITFIELD: Okay. Tell you what, back up  
8 one page, 7 of 12.

9 BY MR. WHITFIELD:

10 Q. So 7 of 12 gets us to 2018, which would  
11 correspond to the other document that we've got  
12 which indicated a sale. And all of the dates on  
13 this particular page, Page 7 of 12 of CARFAX,  
14 are 2018.

15 And then on Page 8 of 12, the top  
16 number shows that the vehicle is serviced in  
17 2019 at apparently a dealer -- or the dealer in  
18 Conyers, Georgia, and then serviced again in May  
19 and June and October and November of 2019 at the  
20 -- well, actually, October the 3rd, 2019, the  
21 registration was renewed for the vehicle.  
22 November of 2019 is when the vehicle was  
23 serviced again in Conyers at the dealer.

24 Then we move into '20. And this



1 particular event happened in February of 2020.

2 So we see that the first date that is on your  
3 CARFAX on Page 8 after 11/6 of 2019 is 6/30/2020  
4 where the motor vehicle was purchased and it was  
5 reported to the Georgia authorities.

6 Do you see that at the bottom of that  
7 page?

8 A. I do.

9 Q. And then in July, there's a title that  
10 is issued or updated, I guess.

11 Would that imply to you that the  
12 vehicle --

13 MR. WHITFIELD: Are you on Page 8 of 12?

14 MS. LIND: Yes.

15 MR. WHITFIELD: Okay. So we've got 8 of 12  
16 at the top.

17 BY MR. WHITFIELD:

18 Q. Do you see where it says, "Title issued  
19 or updated"? would that suggest to you that the  
20 vehicle is now being retitled in July of 2020?

21 A. That seems to imply that.

22 Q. Okay. Well, I mean, when you look at  
23 that, is that what you think as an expert?

24 A. That's how I interpret the CARFAX



1 report.

2 Q. okay. so that vehicle is being  
3 transferred to someone else other than the owner  
4 that had it previously.

5 would that be a fair assumption by this  
6 CARFAX report?

7 A. Yes.

8 Q. And then below that, July the 30th of  
9 2020, the document is showing that the vehicle  
10 was purchased in this report of CARFAX in July  
11 of 2020.

12 Do you see that?

13 A. I do.

14 Q. All right. Now, the next item on this  
15 CARFAX report is August the 3rd of 2020, and  
16 it's reporting a total loss of the vehicle.

17 Do you know of any reason why this  
18 vehicle would have been identified as a total  
19 loss in August of 2020?

20 A. I don't know anything about the history  
21 of the truck after the accident besides trying  
22 to interpret this report.

23 Q. okay. so you read -- you read some  
24 depositions, and you, I'm assuming, looked at





1 some of the pictures that were done by Brandon  
2 Teates at the scene and back at the MBI or the  
3 Biloxi facility that they took pictures of the  
4 vehicle off-site.

5 Are you aware of there being any other  
6 damage other than a defect -- it's called a  
7 defect. It's more a bullet hole in the hood and  
8 then three in the windshield. Are you aware of  
9 any other damage to the vehicle other than that?

10 A. There's some minor damage to the back  
11 right corner when it contacted the mailbox.

12 Q. Sure. Okay.

13 In your experience, would you expect  
14 that to result in a total loss of the vehicle?

15 A. I wouldn't think so. You know, it's  
16 possible that the bullet that went into the hood  
17 caused some engine issues, but I would be  
18 surprised if it was totaled. But it is an older  
19 vehicle. I'm not sure how much it would cost to  
20 repair everything.

21 Q. Sure. Okay.

22 I'm looking for some kind of an  
23 odometer reading on the vehicle at various time  
24 increments, you know, moving from wherever we



1 were. And I see in July -- at the very top  
2 right there, in July of 2019 that the vehicle  
3 had 135,000 miles on it.

4 Now, if we move to the next page where  
5 we can pick up the next mileage, that would be  
6 140, which corresponds to two of the other -- I  
7 guess the thumbnail sketches on the other  
8 document that we -- that we looked at where  
9 there was 140 and then another 140.

10 Does that -- does that compare up  
11 fairly well with the CARFAX, those -- that data?

12 A. So the EpicVIN referenced 140,000. I'm  
13 not sure how EpicVIN or CARFAX gets the numbers,  
14 but they both say 140. If we're trying to  
15 figure out --

16 Q. Sure.

17 A. -- how many miles there were at the  
18 time of the accident --

19 Q. Yes.

20 A. -- if you scroll back to November of  
21 2019, there's a few -- a few months before the  
22 accident.

23 And you see where it says 135,292?

24 Q. Right.



1 A. In my experience, that would be put in  
2 by that dealership. And the fact that there's  
3 not, you know, 140,000, you know, there's an  
4 actual 292 at the end implies that that's going  
5 to be the correct mileage.

6 So I would suspect at the time of the  
7 accident the truck's mileage to be a little bit  
8 more than 135,292.

9 Q. Okay. Fair enough. That sounds  
10 reasonable.

11 So I guess the working assumption would  
12 mean -- or would be that the last time that we  
13 actually had an odometer reading was about three  
14 months before this event.

15 So if we added, you know, 2,000 miles  
16 onto the vehicle in that three-month period,  
17 we'd be close, right?

18 A. Yeah. I don't know his typical driving  
19 habits, but that sounds reasonable.

20 Q. Well, you know, if you go from June to  
21 November on the CARFAX report, in June, he's  
22 identified -- it's identified that he drove 121,  
23 and then you go five months and he's at 135. So  
24 that's 14,000 in five months.



1 A. Yeah, he's driving a lot.

2 Q. So I'm just kind of estimating, based  
3 on driving habits, a couple of thousands more on  
4 top of 135.

5 would that be a reasonable assumption?

6 A. Yeah, I mean, that seems reasonable.  
7 If you go back to January, so you've got four  
8 months --

9 Q. 1/11?

10 A. Yeah, between the two, a little less.  
11 You know, it's only 8,000 difference. So --

12 Q. Correct.

13 A. -- I don't know what his typical  
14 driving would be, but it likely is going to be,  
15 you know, at least a few thousand more than that  
16 135,000 number.

17 Q. Okay. Fair enough. Fair enough.

18 Let's just -- I guess for purposes of  
19 the deposition, let's just kind of, you and I,  
20 have an informal assumption that around the time  
21 of this incident, he had about 137,000 miles on  
22 the car -- or on the truck.

23 A. Sure, sounds fine.

24 Q. would that be fair?



1 A. Sure.

2 Q. Okay. All right. I don't think  
3 there's anything else on the -- well, actually  
4 there is.

5 MR. WHITFIELD: Go to Page 9 of 12, top part.

6 BY MR. WHITFIELD:

7 Q. You see where it says, "Salvage  
8 Title/Certificate issued" at the top on August  
9 -- in August of 2020?

10 A. Yes.

11 Q. So would that -- would that be  
12 something that you would expect when a vehicle  
13 had previously been declared a total loss if  
14 you're going to sell the salvage or sell the  
15 vehicle?

16 A. Yes.

17 Q. Okay. There's also a total loss  
18 reported in December of 2020, and then below  
19 that, same day, another salvage title, and then  
20 below that, same day, a rebuilt title issued.

21 Do you know what a rebuilt title is?

22 A. Generally, it's just a title to say  
23 this vehicle has been rebuilt, it's not original  
24 from the manufacturer.



1 Q. would that be -- would that be the  
2 title itself rebuilt or the vehicle rebuilt?

3 A. The vehicle's rebuilt, but it's issued  
4 as a rebuilt title just to let the purchaser  
5 know this isn't a title from the original -- you  
6 know, the vehicle's been worked on.

7 Q. would you expect, just given your  
8 experience with looking at these things, that a  
9 rebuilt title would mean that somebody bought  
10 that vehicle, whoever, and repaired it; in other  
11 words, replaced the hood, replaced the  
12 windshield, fixed the back right quarter panel,  
13 and then decided they were going to sell it with  
14 137-, 140,000 miles on it?

15 MS. RAVEENDRAN: Objection; calls for  
16 speculation.

17 BY MR. WHITFIELD:

18 Q. would that be your expectation?

19 A. Yeah, once again, I don't know the  
20 history of the vehicle after the accident, so I  
21 don't know if there was additional damage. You  
22 know, I just -- I don't know.

23 Q. So I understand.

24 Here's my question, though: You look



1 at these CARFAX reports a heck of a lot more  
2 than I do, and would it be your expectation,  
3 knowing the history of this vehicle that was  
4 involved in an event that resulted in some -- a  
5 bullet hole in the hood and a bullet -- some  
6 bullet holes in the windshield, that if you see  
7 a rebuilt title issued, would it suggest to  
8 you -- having reviewed these particular kinds of  
9 documents today and before, that that would mean  
10 that the vehicle was repaired to the extent that  
11 it needed to be repaired and then sold to  
12 somebody with original -- with the miles of 140  
13 and then with somebody apparently telling the  
14 purchaser that you got a vehicle that's been  
15 repaired?

16 MS. RAVEENDRAN: Objection; calls for  
17 speculation.

18 You can answer.

19 THE WITNESS: So -- yeah, I'm just thinking  
20 there.

21 So I'm not --

22 BY MR. WHITFIELD:

23 Q. I'm not -- look, I'm not -- hey, John,  
24 I'm not asking you to speculate, I'm asking you



1 to --

2 A. No, I'm trying to clarify. I'm not --  
3 I don't know exactly what qualifies as a rebuilt  
4 title. If it's -- I know, you know, when  
5 vehicles are involved in accidents or there's  
6 damage, if it's declared a total loss, they'll  
7 issue a salvage title, a rebuilt title. They're  
8 all kind of the same thing to me.

9 You know, I'm not sure what was  
10 involved, why this -- what was involved in this  
11 rebuilt title, all the work that needed to be  
12 done to the vehicle. I just don't know.

13 Q. Okay. All right. Fair enough.

14 MR. WHITFIELD: Let's do this real quick:  
15 why don't we -- I'm going to -- I need to  
16 arrange these so I can mark them.

17 Bhavani, can we take about five minutes  
18 to refresh coffee and then use the restroom?

19 MS. RAVEENDRAN: Sure. Sounds good.

20 MR. WHITFIELD: Okay. Let's just -- let's  
21 see if we can't, like, maybe take about five,  
22 six minutes to get it done so we can get on --  
23 back on the record again. Okay?

24 MS. RAVEENDRAN: Yeah, no problem.





1 MR. WHITFIELD: Okay. Good. Thank you.

2 MS. RAVEENDRAN: Thanks.

3 (Whereupon, a short break was  
4 taken.)

5 MR. WHITFIELD: So while we were off the  
6 record, all counsel got together, and we decided  
7 that we were going to identify certain  
8 documents, Exhibit 53 all the way up to  
9 Exhibit 57. So they're now made a part of, I  
10 guess, our deposition record.

11 (Stamm Exhibit Nos. 53 through  
12 57 marked.)

13 BY MR. WHITFIELD:

14 Q. One real quick thing while I'm thinking  
15 about it. The truck that you got those eight or  
16 ten photographs that were part of the Epic, is  
17 that -- are those the only pictures that you're  
18 aware of of the truck that was not otherwise  
19 involved in this particular event that happened  
20 on -- February of 2020?

21 A. Yes.

22 Q. Okay. So let me ask you this: From a  
23 standpoint of an expert, is it ever a suitable  
24 alternative, at least from an expert standpoint,



1 engineering standpoint, to not have the vehicle  
2 available for a personal inspection for you? I  
3 mean, would that be the -- kind of the highest  
4 and best -- kind of the altruistic goal would be  
5 to inspect the vehicle that was involved in an  
6 event?

7 A. I would say it depends on the case.  
8 For this matter, it wasn't necessary.

9 Q. Okay. So in this particular matter,  
10 you really didn't think that it -- that the  
11 vehicle itself needed to be personally  
12 physically inspected by you?

13 A. For my purposes, no.

14 Q. Okay. By the way, you mentioned  
15 something a little while ago about the pictures  
16 that were taken. I think we were talking about  
17 the drone or something like that -- oh, that was  
18 on the list of things, the drone photos we  
19 talked about originally.

20 You mentioned that you had a pilot's  
21 license, and, you know, I want to make sure I'm  
22 not misunderstanding.

23 When you say "pilot's license," you're  
24 talking about to pilot the drone?



1 A. Correct.

2 Q. You don't have, like, a separate  
3 pilot's license where you can fly yourself all  
4 over the country, right?

5 A. No, I do not. I wish.

6 Q. Okay. Yeah, me too.

7 So whenever you are actually operating  
8 the drone, or the UAV, I think is what you  
9 called it, when you do that, you're considered a  
10 pilot?

11 A. I think so, yeah.

12 Q. Okay. So whenever you use the drone,  
13 do you have to secure clearance from the FAA --  
14 whenever you're operating that drone no matter  
15 where you are, do you have to secure clearance  
16 to do that like a -- like a permit?

17 A. So there's a GPS module on the drone.  
18 So whenever you fly it, that GPS module is --  
19 basically broadcasts where the drone is.

20 So if you're near an airport, for  
21 example, it won't let you fly. It also -- if  
22 you're out in the middle of nowhere, you can  
23 pretty much fly wherever you want, but there's  
24 generally a height restriction of 400 feet. So



1 there's a whole -- there's a number of different  
2 classifications for airspace.

3 Q. okay.

4 A. There -- just to further answer your  
5 question, there is a regional or some sort of  
6 airport near the accident site that prevented me  
7 from flying all the way to -- what was the main  
8 street? Was that --

9 Q. Railroad? Pass Road?

10 A. I think Oak.

11 Q. Oak? Right, okay.

12 A. Yeah.

13 Q. Oak.

14 A. Yeah. So I could fly pretty much to  
15 208, 207, somewhere around there, and it just  
16 won't let me fly any farther east because there  
17 was basically, like, a runway.

18 Q. Well, if you look -- look on Page 3 of  
19 your -- is that where you are?

20 A. I was on a different page, but I can go  
21 to Page 3. Yeah, that's fine.

22 Q. Okay. So Page 3, where did you get  
23 this picture?

24 A. See where it says "Google Maps" on the



1 bottom of the figure?

2 Q. okay.

3 A. So this --

4 Q. Oh, I see what you're -- I see what  
5 you're talking -- okay. Yeah, yeah, yeah, I got  
6 that.

7 So this was a Google Maps photograph  
8 that you pulled up --

9 A. Yes.

10 Q. -- right?

11 So did you -- maybe I'm missing another  
12 imagine.

13 So did you use your aerial photography  
14 as an inset in your report elsewhere? That's  
15 the one that I remember.

16 A. Yes, so let me --

17 Q. What page?

18 A. I'm looking for it right now.

19 So on Page 23.

20 Q. 23? okay.

21 A. Figure 15.

22 Q. Okay. That's your -- that's an aerial  
23 view that you took?

24 A. On the day of my inspection, yes.



1 And then Figure 16 --

2 Q. All right.

3 A. -- is as well. You can actually see me  
4 standing on the road on the upper left of  
5 Figure 16.

6 Q. Oh, so that's you that's standing,  
7 like, in the street?

8 A. Yes.

9 Q. Okay. Okay. I see what you're saying.  
10 So 210 -- 210 is the address of  
11 Stephanie.

12 So to your back is Oak Street, correct?

13 A. Correct.

14 Q. Okay. You just couldn't go over Oak  
15 Street with your drone?

16 A. Yeah, it would not let me go any closer  
17 to Oak Street than approximately where this  
18 image was taken. I could probably go another 50  
19 or 100 feet.

20 Q. So Page 24 has got some other aerial  
21 photographs, and then 25 has got two more.

22 So tell me this. Maybe I'm missing  
23 something. You're certified to operate the  
24 drone, and you're saying that there is some kind



1 of a GPS setting in your drone that won't let  
2 your vehicle fly within a flight path of the  
3 airport? And, by the way, it's the  
4 Gulfport-Biloxi International Airport.

5 A. Okay.

6 Q. It's not a regional airport.

7 A. Well, that's --

8 Q. And I know you didn't know that  
9 specifically because, you know, you almost have  
10 to live here to know that. I mean, it's not  
11 something, you know, you broadcast. But it used  
12 to be known as a regional airport.

13 Is there a different rule for regional  
14 or local airports than there is for an  
15 international?

16 A. Not particularly. So basically, I have  
17 a license to fly it, but I can't fly it  
18 anywhere. Right? I can't fly it onto the  
19 runway. You know, that would be dangerous.

20 So the license allows me to fly it for,  
21 I guess, commercial purposes. As a hobbyist,  
22 you can have a drone and fly it not on the  
23 airport, but in your backyard, as long as you're  
24 not -- I guess it's not part of your work, it's



1 not part of your compensation. So that's what  
2 the license is for.

3 In addition, when I have the license, I  
4 can fly -- I can apply for special permits for  
5 certain airspaces that are only for licensed  
6 unmanned aerial pilots. But there's also areas  
7 that are -- no matter what, you can't fly  
8 anything in that area.

9 Q. Sure. Okay. Okay. All right. I was  
10 just curious about, you know, what kind of  
11 license you had to get to actually run the thing  
12 that close to an airport.

13 But what you're telling me is, is that  
14 you don't have to get clearance from, like, the  
15 FAA to operate the drone in the method that you  
16 did, right?

17 A. Yeah, I'm trying to remember. I think  
18 I had to apply for -- to even fly where I flown  
19 -- where I flew, I had to apply for that, but I  
20 couldn't get any closer to Oak Street.

21 Q. Okay. Okay. All right. Now, let me  
22 bring some closure then -- we went over the  
23 list, and we talked about your list of items to  
24 bring to the deposition. I'm not going to go





1 over all 20 of these things. I think there's,  
2 like, 20 of them. Yeah, there's 20.

3 You've seen the list, and I'm assuming  
4 that you accumulated whatever it was that you  
5 had pertaining to this case and gave it to the  
6 lawyer that hired you who, in turn, gave it --  
7 gave the materials to us. Okay?

8 Now, No. 1 simply asks in a very kind  
9 of legal way for your file. Now, we've talked  
10 about all the different items that are in the  
11 file that we got, and we made a list of them.

12 Is there anything that you did not  
13 produce that you did in connection with your  
14 task in this case?

15 A. I produced all of my work product  
16 related to my opinions, everything that I  
17 generated.

18 Q. Okay. Is there anything that you  
19 withheld at all --

20 A. No.

21 Q. -- and if so, what?

22 A. I produced everything.

23 Q. No? Okay.

24 All right. So normally, you know, when



1 I'm dealing with an expert, I typically have an  
2 e-mail or two between me and them.

3 Do you have any e-mails between you and  
4 Counsel?

5 A. Yeah, we e-mailed, but I was, I guess,  
6 advised by Counsel that --

7 MS. RAVEENDRAN: So I'm going to advise you  
8 not to repeat anything that you and I spoke  
9 about. That would be considered confidential.

10 And, Bill, our position under the  
11 federal rules is that we don't have to turn over  
12 e-mails unless they're about financial  
13 conversations, and he didn't have any of those.

14 MR. WHITFIELD: I'm sorry, what was that  
15 again?

16 MS. RAVEENDRAN: Based on Rule 26 and its  
17 protection of certain communications between  
18 counsel and experts --

19 MR. WHITFIELD: Sure.

20 MS. RAVEENDRAN: -- we didn't -- we advised  
21 him to produce any communications that had to do  
22 with the topics that are not considered  
23 confidential. And he didn't have any financial  
24 e-mails, so he did not turn over any e-mails.



1 MR. WHITFIELD: Okay. So I didn't ask him,  
2 you know, what was it. I didn't ask him to  
3 repeat to me anything that you said to him or he  
4 said to you. I just asked him did he have any  
5 e-mails.

6 MS. RAVEENDRAN: Oh, understood.

7 MR. WHITFIELD: That was my question.

8 BY MR. WHITFIELD:

9 Q. And, John, you know, don't tell me what  
10 was in the e-mails. Because Bhavani's right,  
11 the substance of those kinds of things -- unless  
12 they factor into your opinion, the substance of  
13 those things would be protected and not  
14 discoverable.

15 So all my question is, is that -- do  
16 you have e-mails between you and Counsel about  
17 this case? That's it.

18 A. There are e-mails related to this case,  
19 links to download, materials, things of that  
20 nature.

21 Q. Okay. All right. That's fine.

22 Now, I think Bhavani said something  
23 about financials. I know that you produced a  
24 document that reflected your fee schedule. I'm



1 pretty sure I have that here somewhere.

2 Do you remember sending a fee schedule  
3 to me? Yeah, here it is.

4 A. I think it was attached to my report.

5 Q. It's -- yeah. It's going to be in this  
6 -- right here, yeah.

7 Do you see that fee schedule there?

8 A. Yes.

9 Q. Okay. So all of these guys that are  
10 listed below "Professional Services," would that  
11 be the folks that are a member or an employee or  
12 a partner in the group, Fusion Engineering?

13 A. Yeah, they're all employees or  
14 adjuncts.

15 Q. Okay. All right. Well, in that list  
16 of people is John Stamm, P.E. You're one of a  
17 few engineers -- well, not more than -- there's  
18 more than a few of you. But you're identified  
19 as a P.E., and your fee is 275 per hour.

20 Do you see that?

21 A. I do.

22 Q. So one of the things that we had asked  
23 you to produce that I don't remember us getting  
24 was a copy of any fee bills that you generated



1 for your work in this case that may have been  
2 submitted to Counsel.

3 Is there any particular reason that you  
4 didn't print that out and produce that?

5 A. I think the invoice was in there.

6 Q. Was it in the material? I don't  
7 remember seeing that. So if I missed it, I  
8 apologize. Let me look real quick to your  
9 report.

10 All I remembered seeing, John, was just  
11 a copy of your fee schedule. I don't think I  
12 got a copy of any fee invoice.

13 Did you --

14 MS. RAVEENDRAN: Bill, it should --

15 MR. WHITFIELD: Are you able to put your --

16 MS. RAVEENDRAN: It should have been included  
17 with the materials you got today. There was an  
18 invoice in there.

19 THE WITNESS: Yeah, it's a PDF.

20 MR. WHITFIELD: Oh, today. Okay. I was  
21 thinking the things that we -- would have been  
22 produced -- would have been attached to the  
23 report.

24 So this was produced today?



1 MS. RAVEENDRAN: Yes.

2 MR. WHITFIELD: Okay. All right.

3 BY MR. WHITFIELD:

4 Q. So who is -- I see your name down  
5 there.

6 who is C. Fleming?

7 A. Her name is Carmen Fleming. She was an  
8 intern --

9 Q. Carmen Fleming?

10 A. Yes.

11 Q. So she's the intern that you were  
12 talking about?

13 A. So she is an intern. She -- let's see.  
14 She did not summarize any deps. The intern I  
15 was talking about is Kyle Spence. You can see  
16 his input on June 19th, and you can see that he  
17 summarized McNair's and Ownes' depositions.

18 Q. Okay. Okay. So Carmen Fleming, she's  
19 an intern, and you billed her out for review of  
20 file material, discussion with Stamm? Do you  
21 see that first entry up there, 8 -- 6/13 -- 6/2,  
22 actually. 6/2 would have been June the 2nd.

23 would that -- does that kind of jog  
24 your memory in terms of when you were retained?



1 A. Yeah, as I said, early June, late May  
2 is when I first reviewed any documents for the  
3 case. So I'm not sure if I was retained a  
4 little bit before then. You know, I didn't  
5 necessarily work on it the day I was retained.  
6 I just don't remember.

7 Q. Okay. All right. So Carmen Fleming is  
8 showing up working on 6/13, so -- to review file  
9 material and discuss the case with you.

10 And then you have file analysis on  
11 6/13, 6/14, and then 6/15. That's when you  
12 actually -- well, 6/14 is when you came down  
13 here from Chicago. 6/15, you came to the site.  
14 And then Carmen Fleming is doing more work.

15 Who is J.P. Wolfe?

16 A. He's an employee that helps with the  
17 file assembly and also summarizes some  
18 depositions.

19 Q. Okay. Fair enough.

20 All right. Jean -- is it Jean-Pierre  
21 or Jean-Pierre (pronunciation clarification)?  
22 How do you say the name?

23 A. Jean-Pierre. But he goes by J.P.

24 Q. J.P.?



1 A. He's French Canadian.

2 Q. Okay. I understand.

3 And then who is T. Bundorf? Thomas  
4 Bundorf?

5 A. Thomas Bundorf. He goes by Tom.

6 Q. Okay. And he doesn't have any kind of  
7 -- neither does J.P., they don't have any  
8 destination behind their name, like P.E. or  
9 C.P.E. or anything like that.

10 Are they -- what -- are they just,  
11 like, staff?

12 A. Yeah, I would say J.P. is staff. Tom  
13 Bundorf doesn't have a P.E., but he's part of  
14 the technical team. He's worked with us for a  
15 long time, so...

16 Q. Does he have an engineering degree?

17 A. I don't know if he has a full  
18 engineering degree. I know he went to school  
19 for a couple years. He does a lot of our -- for  
20 many, many years, he's worked on the data that  
21 we collect during site inspections. He's a  
22 technologist, I guess would be the best way to  
23 put him.

24 Q. So he would be a tech?





1 A. Sure, yes.

2 Q. Then -- so --

3 MR. WHITFIELD: Go to the next page.

4 BY MR. WHITFIELD:

5 Q. And there's Tom Bundorf again, and then  
6 I see you down there a bunch. And then --

7 MR. WHITFIELD: Go to the next page.

8 BY MR. WHITFIELD:

9 Q. So to date, you have billed to the  
10 plaintiff's group in this case \$31,000?

11 A. So I will just say that's what Fusion  
12 Engineering has billed.

13 Q. Okay.

14 MR. WHITFIELD: All right. Back on the  
15 30(b)(5) -- 30(b)(5) stuff.

16 BY MR. WHITFIELD:

17 Q. So we were talking about the 30(b)(5)  
18 page on the deposition notice, which is Pages 2  
19 and 3. I kind of took a little bit of a  
20 diversion with the e-mail and then the bill and  
21 things like that.

22 No. 1 specifically talks about  
23 basically your file. You've indicated to me  
24 that short of e-mails between you and Counsel,



1 short of e-mails, that you have produced your  
2 entire file.

3 would that be fair?

4 A. Yes.

5 Q. Okay. Is there anything other than  
6 e-mails that you have not produced?

7 A. Not that I can think of.

8 Q. Okay. Okay. We did make the  
9 deposition notice Exhibit 51 -- 52, so I can set  
10 that aside.

11 Attached to your report, John, was your  
12 CV.

13 Do you have that in front of you?

14 A. Yes.

15 Q. Okay. I will say that as an engineer,  
16 you have a -- an admirable career for such a  
17 young man.

18 A. Thank you.

19 Q. So let's just pull the professional CV  
20 or your resume kind of up.

21 Go down to "Examples of Areas of  
22 Expertise." Do you see that?

23 A. Yes.

24 Q. You have -- you have several things



1 listed down there, mobile elevating work  
2 platforms and then so forth, all the way down to  
3 mechanical testing. A lot of those things  
4 obviously would be very beneficial to an  
5 engineer who is focussing on accident  
6 reconstruction no matter what it is.

7 I do note, though -- and I wanted to  
8 get you to comment upon this. Are you a  
9 ballistics expert?

10 A. I am not.

11 Q. Have you ever, ever -- in the context  
12 of your work, ever had to examine an event that  
13 involved ballistics?

14 A. I mean, obviously this one involved  
15 ballistics, but I can't think of ever analyzing  
16 ballistics.

17 Q. Well, you're not being called upon in  
18 this particular case because of your expertise  
19 in ballistics, are you?

20 A. I do not have an expertise in  
21 ballistics.

22 Q. Okay. Well, ballistics in this  
23 particular case -- and I'm talking about  
24 relative to your opinion.



1           You weren't really hired in this case  
2           to consider the ballistics feature of this  
3           event, were you?

4           A.     My understanding is, I was hired to  
5           analyze the vehicle and the vehicle movement.

6           Q.     Okay.    Sure.

7           So the vehicle movement is what you  
8           were hired to consider and give an opinion on in  
9           the context of this case and not the ballistics  
10          realm -- or that strata that involves  
11          ballistics?

12          A.     I think that's fair.

13          Q.     Okay.    Are you -- do you consider  
14          yourself an expert in the field of law  
15          enforcement or law enforcement practices?

16          A.     I do not.

17          Q.     You weren't hired in this particular  
18          case, were you, to comment upon those things  
19          that would be practices and procedures and what  
20          is or what is not constitutional from a  
21          use-of-force continuum? You weren't hired to  
22          comment upon those, were you?

23          A.     I was not.

24          Q.     Okay.    So as far as law enforcement is



1 concerned, that's not you? That's not -- you're  
2 not that expert, right?

3 A. That's not me.

4 Q. Okay. You're -- I mentioned a minute  
5 ago that you're a young man, and I don't know  
6 how far back in time you go.

7 Do you remember a time when you could  
8 actually work on your car without having to  
9 navigate around electronic ignition?

10 A. Without -- can you say that again?

11 Q. All right. So do you ever remember a  
12 time that you, as a vehicle owner, could work on  
13 your car without having to deal with the  
14 frustration of electronic ignition and different  
15 computer products under your hood?

16 A. No.

17 Q. Okay. Here's the reason that I'm  
18 asking. Have you ever actually -- other than  
19 changing -- have you ever changed your own oil?

20 A. Yes.

21 Q. How long has it been since you changed  
22 your own oil?

23 A. Couple years ago, my wife's Honda CR-V.

24 Q. Okay. Okay. So you changed the oil in



1 your wife's car.

2 Before then, how long ago had it been  
3 that you changed oil in a car that you owned?

4 A. I think I did that a couple times in  
5 her vehicle. Besides that, I think that's it.

6 Q. Okay. All right. Have you ever had to  
7 change out the transmission fluid in the  
8 transmission of any of your vehicles? Have you  
9 ever done it before?

10 A. No.

11 Q. Have you ever had to bleed off a  
12 vehicle's air lines and then, I guess,  
13 reconstitute it -- fill it with brake fluid?  
14 You ever had to do that?

15 A. When you say "air lines," do you mean  
16 brake lines?

17 Q. Your brake lines.

18 A. Yeah.

19 Q. Your brake lines.

20 A. Yeah, I've bled off brake lines.

21 Q. Okay. Well, how long has it been since  
22 you did that?

23 A. Probably within the last year. I did a  
24 brake job on the same vehicle.



1 Q. The Honda?

2 A. Yeah.

3 Q. Your wife's Honda? Okay. All right.

4 How about when's the last time you  
5 changed a tire?

6 A. A couple months ago.

7 Q. Your wife's car?

8 A. So, I guess, I don't -- yeah, taken --  
9 I don't remount and balance. I'll do that at  
10 the shop. But I've rotated tires on my car and  
11 my wife's car.

12 Q. Do you have a shop that you can pull  
13 your car into and lift it up and rotate tires?

14 A. Yeah, we have a lift at our company.

15 Q. Okay. You have a lift, and you take  
16 advantage of that lift on your personal  
17 vehicles?

18 A. Sometimes if it's --

19 Q. Handy to have.

20 A. If it's open.

21 Q. How about any -- I'm sorry?

22 A. I said if it's open, the lift.

23 Q. It's what?

24 A. A lot of times the lift -- there's a



1 vehicle for a project or someone else is using  
2 it. So it's not like it's always available, is  
3 my point.

4 Q. Understood. I got it.

5 So you're only privileged to use it  
6 personally when it's not being used  
7 professionally?

8 A. Correct.

9 Q. Okay. All right. How about adding  
10 coolant to the cooling system of your vehicle,  
11 ever done that before?

12 A. I don't think I've ever done that.

13 Q. Okay. All right. Let me ask you maybe  
14 even a more involved question.

15 Do you know what is involved in taking  
16 off -- a carburetor off of an intake manifold?

17 A. I mean, I can look it up and do it, but  
18 it's nothing I've done before.

19 Q. Okay. Are you familiar with rebuilding  
20 a carburetor? Have you ever done that before,  
21 rebuilt a carburetor?

22 A. I have cleaned out the carburetor on a  
23 little scooter I have, but not on a vehicle.

24 Q. Yeah, let's talk about a vehicle, okay,





1 as opposed to, you know, scooters, lawn mower,  
2 mini bike engines, things like that.

3 Have you ever rebuilt a carburetor on a  
4 sure enough passenger vehicle?

5 A. I have not.

6 Q. Have you ever had to replace an intake  
7 manifold?

8 A. I have not.

9 Q. Have you ever had to do any work on the  
10 heads of a vehicle? In this particular case, it  
11 would have been a V-8.

12 Have you ever had to work on the head  
13 of a vehicle like in this particular car, a 2014  
14 GMC Sierra?

15 A. No.

16 Q. Okay. All right. Have you ever  
17 actually had to rebuild an engine? No?

18 A. No.

19 Q. Okay. Have you ever had to remove and  
20 replace any of the drivetrain of a vehicle?

21 A. I think maybe an output shaft going to  
22 one of the wheels.

23 Q. Output shaft on one of the wheels?

24 A. Leading to one of the wheels.



1 Q. Leading to one of the wheels?

2 A. Yeah.

3 Q. Okay. Well -- so you have the  
4 transmission and then you've got the apparatus  
5 that connects the transmission up to the  
6 differential and then out to the tires.

7 A. Yeah.

8 Q. That's normally the drivetrain.

9 Like, have you ever done any work on  
10 that particular --

11 A. Well, that's what I'm --

12 Q. -- system, like the drivetrain system?

13 A. That's what I'm saying. Not my  
14 vehicles, but projects we've worked on. You  
15 know, we've taken off wheels. We've taken off  
16 the steering knuckle, look at the linkages. You  
17 know, there's a shaft going into the wheel,  
18 that's what I'm calling the output shaft. That  
19 actually turns and powers the wheel. You know,  
20 I've taken those off for sometimes demonstrative  
21 purposes and just to explain how the systems  
22 work. But on my personal vehicles, I've never  
23 had a need to.

24 Q. Or something that would not have been



1 related to your professional involvement; is  
2 that what you're telling me?

3 A. Yeah, I've never worked on one of my  
4 vehicles -- none of them have ever needed that.

5 Q. Well -- so here's one of the things  
6 that I'm trying to maybe understand. You're  
7 giving an opinion in this particular case, and  
8 as I look and appreciate your opinion, at the  
9 very, very end, your opinion section is about a  
10 page long. I mean, if you use the substance on  
11 one page and put it over on the second page, the  
12 opinion section is about a page.

13 One of the things that I noted in your  
14 opinion was, you know, something to do with the  
15 speed of the -- the movement of the vehicle  
16 during an idle.

17 Would that -- do you remember dealing  
18 with that in one form or fashion?

19 A. So I measure the tractive force of the  
20 truck with the engine idling.

21 Q. Right.

22 A. And I utilized that for some  
23 calculations in the report, if that's what  
24 you're referring to.



1 Q. Sure, yeah.

2 Anyway, you mention something that I  
3 think you produced a paper on. It's called the  
4 rolling resistance coefficient.

5 Remember that?

6 A. Yes.

7 Q. Have you ever had to use that  
8 particular kind of formulaic algorithm before in  
9 any of your cases as an expert?

10 A. Yes, so rolling resistance coefficient  
11 is a, you know, pretty well-known, you know,  
12 resistive force. But as far as the  
13 calculations, they're kinematic calculations  
14 that are utilized in pretty much every vehicle  
15 reconstruction.

16 Q. So rolling resistance coefficient; is  
17 that what you're saying?

18 A. That is -- yeah, that coefficient  
19 correlates to a force that I utilize for the  
20 kinematic equations.

21 Q. Well, let me ask you this: Just from  
22 the standpoint of your opinion -- we do know  
23 that the vehicle did come to a stop and the  
24 engine was on, and there was no foot, at least



1 after the accident, on the brake.

2 We do know that it came to a stop and  
3 it was idling, correct?

4 A. I agree.

5 Q. We do know that point when the vehicle  
6 itself was put into drive, do we not, or at  
7 least that distance?

8 A. Can you repeat the question?

9 Q. Sure. Well, if you remember some of  
10 the deposition testimony, even Officer Cuevas's  
11 testimony, Mr. Parker was backing out of the  
12 grass, I think, at Ms. Baldwin's house, and he  
13 struck a mailbox at least on the right quarter  
14 panel, the rear quarter panel of his vehicle,  
15 right?

16 A. Correct.

17 Q. Right?

18 A. Correct.

19 Q. Yeah, you're skipping a little bit. I  
20 guess it's your voice.

21 So you agree, then, that when the  
22 vehicle first was moving, it moved out of the  
23 driveway in reverse until it struck the mailbox,  
24 right?



1 A. I agree.

2 Q. Okay. And then apparently, Mr. Parker  
3 put the vehicle in drive to make it move  
4 forward.

5 A. Yes, I agree.

6 Q. Correct?

7 A. I agree.

8 Q. Okay. Now -- now, you went out there,  
9 and as I remember, you tried to maybe reenact in  
10 some form or fashion, the movement of the  
11 vehicle, but you were operating a -- as I  
12 remember, you were operating a Ford truck,  
13 weren't you?

14 A. Ford F-150.

15 So I wasn't trying to recreate the  
16 accident. I was just demonstrating the general  
17 path taken and the steering wheel inputs  
18 required.

19 Q. Well, wouldn't the steering wheel and  
20 the steering that would be required to at least  
21 pull away from the mailbox and then ultimately  
22 to end up where this vehicle ended up, wouldn't  
23 that be determined by virtue of the wheelbase of  
24 the vehicle, or no?



1           A.     That would affect it as well as, you  
2     know, the turning radius.

3                 But, once again, if you look at my  
4     opinions, I'm not quantifying how much  
5     right-hand turn or how much left-hand turn. I'm  
6     just stating that when you pull away from the  
7     mailbox, you're going to have to put in a  
8     right-hand turn, you're going to go up at an  
9     angle, and if you keep holding that right-hand  
10    turn, you're going to be no longer parallel  
11    east, you're going to be going southeast at a  
12    diagonal towards the grass. And then to get  
13    back parallel to the grass, you have to put it  
14    in a left-hand turn. And that was what I was  
15    trying to demonstrate.

16           Q.     But you weren't suggesting, were you,  
17    by doing that, that that was the path that  
18    Mr. Parker took on the morning of February the  
19    1st of 2020 with you in an F-150 and him in a  
20    2014 GMC Sierra, were you?

21           A.     It's going to be the general path. We  
22    know where the truck was when the right rear  
23    corner near the taillight impacted the mailbox,  
24    and we know where the truck was -- where it



1 ended up. To get to those two points, you have  
2 to take that general path.

3 I'm not saying the path I took is  
4 exactly the same, but that's the general path  
5 that you have to take.

6 Q. It's the general path that you would  
7 have to take given the vehicle that you were  
8 in --

9 A. No, it doesn't matter --

10 Q. -- to take that general path, right?

11 A. It doesn't matter. If you have a  
12 couple of extra feet of wheelbase, you still  
13 have to put in a right-hand turn and then a  
14 left-hand turn to get parallel -- you know,  
15 right wheels into the grass and parallel to the  
16 road in any vehicle.

17 Q. Understood. Okay. I understand what  
18 you're saying.

19 wouldn't the angle of your vehicle  
20 coming out back into the -- to straighten up in  
21 the street, wouldn't it matter as to what your  
22 angle would be when you hit the mailbox?

23 Do you know what angle Mr. Parker was  
24 in when he hit the mailbox? Did he come





1 straight out of the yard, or did he come out of  
2 the yard and attempt to angulate himself in the  
3 street so that it would make him getting into  
4 the street straightaway more easier? Do you  
5 know what angle he was when he hit the mailbox?

6 A. To a certain extent. So if you look at  
7 -- let me see here. Trying to find the best...

8 So we know where the damage is, you  
9 know, above the taillight.

10 MS. RAVEENDRAN: Can you tell him where  
11 you're looking?

12 THE WITNESS: Yeah, sorry. On Page 10,  
13 Figure 10. This is my report.

14 BY MR. WHITFIELD:

15 Q. I see the damage to the vehicle. But  
16 what I'm kind of curious about is, if you look  
17 at Page 28 of your report --

18 A. Yeah, so I'm trying to tie it together.  
19 So that digital model of a truck is the GMC with  
20 the same dimensions. And it shows, on Page 28,  
21 Figure 22, the mailbox contacting right above  
22 the taillight. And it's backed up straight from  
23 points 15, 16, which are tire marks documented  
24 by the police.



1           So this is pretty close to the angle of  
2     impact. It might be slightly different if you  
3     put any steering wheel input as he was backing  
4     up from when he left the yard and when he  
5     impacted the mailbox. But it's going to be  
6     pretty close to it.

7           Q.     Okay. Pretty close.

8           But you're not suggesting that his  
9     juxtaposition in the street is as you have  
10    depicted it on Page 28?

11          A.     There's no way to determine if this is  
12    exactly correct, if it's angled 5 degrees one  
13    way or the other. It's going to be close to  
14    this, though.

15          Q.     Okay. All right. When you say there's  
16    no way to determine it, it's because we don't  
17    really have, like, a video of the event,  
18    correct?

19          A.     We do not have a video. I just have to  
20    go off of the measurements made by the police  
21    and my inspection measurements.

22          Q.     And the physical damage that's depicted  
23    in the pictures?

24          A.     Correct, to the truck and the mailbox,



1 which indicate it was knocked backwards.

2 Q. Right. Right.

3 well, the mailbox damaged the right  
4 rear quarter panel of the truck, correct?

5 A. So the mailbox contacted the -- you  
6 know, back above the taillight, and then it  
7 looked like there were some scrape marks likely  
8 from this accident as well along the side.

9 So, you know, after -- it's a dynamic  
10 event. After it's being knocked backwards and  
11 the truck's likely continuing to back up, that's  
12 where you get the scraping on the side.

13 Q. Right. But there's nothing about the  
14 scrape marks on the right rear quarter panel  
15 indicated on Page 10 that would give you a  
16 better idea about what angle Mr. Parker was when  
17 he impacted it?

18 A. Well, you've got to combine all the  
19 evidence. Right? You have the mark above the  
20 taillight. You also have the scrape marks along  
21 the side. You have the disturbed ground -- I'm  
22 trying to find where that is -- behind the  
23 mailbox post that indicates it was knocked  
24 backwards, so that would be the right side of



1 Figure 3 on Page 4.

2 And then you also have the tire marks  
3 noted by the police, which I don't know if I  
4 have an image in the report. But on the page  
5 that you pulled up, Page 28, that is marked 15  
6 and 16, which was documented --

7 Q. Sure.

8 A. -- by the police with a total station  
9 after the accident.

10 Q. Right. Well, here's my point -- and  
11 I'm kind of -- wanting to kind of get on with --

12 A. Sure.

13 Q. -- with your testimony on that.

14 There really isn't any way that you can  
15 specifically state at what angle Mr. Parker hit  
16 that mailbox, but you've said that you're close?

17 A. Correct.

18 Q. Right?

19 Well, when you took the Ford out there,  
20 did you back up to the mailbox in such a way  
21 that you could recreate the angle that his truck  
22 would have taken to get from the mailbox over to  
23 the area where it stopped?

24 A. Not the exact angle because I don't



1 know. But the general path, yes.

2 Q. Okay. The general path. Okay.

3 Now, if I appreciate the conclusions of  
4 your report, John, you're -- look at Page 31,  
5 please.

6 A. I'm there.

7 Q. Okay. So on Page 31, you give five  
8 opinions, and then two of them are on the second  
9 page. So you give a total of seven opinions.

10 No. 1 is probably just a product of  
11 your measurement from the mailbox to the place  
12 where the vehicle came to rest, correct?

13 A. That -- so that, you know, straight  
14 line measurement. And I also looked at the VBOX  
15 data to see, you know, that arced path. Because  
16 obviously, the -- as you pull out and make your  
17 right-hand turn and then pull over, that's not  
18 straight lines. That's going to add a couple  
19 feet.

20 Q. Do you know whether the Ford F-150 that  
21 you were operating the day that you inspected  
22 the scene, or the site, that its turning radius  
23 was the same as the 2014 GMC that Parker was  
24 driving?



1 A. They're not exactly the same. I think  
2 I stated what they were in the report. I can  
3 pull those numbers if you want.

4 Q. I think you did pull those numbers.  
5 Because on one of the documents that you  
6 produced, I think it did have a turning radius,  
7 I thought.

8 A. Yeah, so on Page 2 of my report, it  
9 says the turning radius of the subject truck,  
10 which based on the make and model, is 23.6 feet,  
11 and then the turning radius of the F-150 is 20.4  
12 feet. So a couple feet less, which makes sense  
13 because it's not a crew cab.

14 Q. The Ford was not a crew cab?

15 A. Correct.

16 Q. But the GMC was a crew cab?

17 A. Correct.

18 Q. So the Ford had a tighter turning  
19 radius than the GMC?

20 A. Slightly.

21 Q. Okay. So 23.6 feet, you're attributing  
22 that on Page 2 of your report to the GMC, 23.6  
23 feet.

24 Is that the number of feet that it



1 would take to come out of a right angle and then  
2 straighten up? Tell me how you -- how that's  
3 calculated.

4 A. So that's not something I calculated.  
5 That's a book value published likely from the  
6 manufacturer. But it's -- if you pulled in  
7 full, you know, wheel lock turn, that's going to  
8 be the radius of the turn without the wheel  
9 slipping.

10 Q. I mean, do you have to literally take  
11 your vehicle in a 180?

12 A. I'm sure -- I'm sure it's tested  
13 physically. I mean, they could also do it with,  
14 you know, the models nowadays, but...

15 Q. Yeah. Well, I mean, I'm just trying to  
16 learn from you. I mean, when you put in your  
17 report that a wheelbase of 143.5 inches, a  
18 turning radius of 23.6 feet, I mean, I'm  
19 assuming you understand what's represented by  
20 that number, and I'm just asking you to teach me  
21 what that means.

22 I mean, is that the number of feet that  
23 it would take for the vehicle to do a 180 --

24 A. No --



1 Q. -- and a full turn?

2 A. No, radius -- if you think of a circle,  
3 from the center of the circle to the edge of the  
4 circle is a radius. Diameter is all the way  
5 across the circle.

6 Q. So if you -- if you put your vehicle in  
7 a hard turn and did a circle with your  
8 vehicle --

9 A. Yes.

10 Q. -- if you measured from one end of the  
11 circle to the other side of the circle, I guess  
12 that would be, what, circumference, I guess? Is  
13 that what it's called, circumference? It's not  
14 radius.

15 A. The diameter is twice the radius.

16 Q. Right, right. So you would measure  
17 from the most extreme edge of the circle to the  
18 opposite circle.

19 In your report, you're intending to  
20 represent that value is 23.6 inches?

21 A. So when they define a turning radius,  
22 I'm not sure if that's the actual radius or  
23 they're referring, like we would, you know, in  
24 engineering terms or if that's just a colloquial





1 term for the diameter. But it's one or the  
2 other. It's not going to be the circumference.

3 Q. Well -- well, I mean, if you were to --  
4 if you were -- if I were to get in my truck and  
5 drive my truck in a full circle so that I came  
6 right back to the point of beginning, that  
7 measurement across that circle, in this  
8 particular instance, for a 2014 GMC Sierra,  
9 would be 23.6, right, feet?

10 MS. RAVEENDRAN: I'm --

11 BY MR. WHITFIELD:

12 Q. -- across the circle?

13 MS. RAVEENDRAN: I'm going to object to  
14 misstating. But I think we're just confusing  
15 the words "circumference," "radius," and  
16 "diameter."

17 MR. WHITFIELD: Look, diameter -- I'll use  
18 any word you want me to. I'm just trying to  
19 understand in laymen's terms what 23.6 turning  
20 radius means.

21 BY MR. WHITFIELD:

22 Q. If I were to put my vehicle in a  
23 complete turn and come around to the point of  
24 beginning, basically creating a circle on the



1 planet, you know, in whatever parking lot I'm in  
2 at Walmart, from one end -- one side of the  
3 circle to the most extreme other side of the  
4 circle would be 23.6 feet, right?

5 A. I think that's what the turning radius  
6 means. It could be twice that. I'm not sure if  
7 turning radius is the way that engineers think  
8 of radius, which is half the diameter, halfway  
9 across, or all the way down. I would need to  
10 look it up.

11 Q. Okay. I was just curious, John, as to  
12 what you intended to tell me when you said a  
13 turning radius of 23.6 feet.

14 A. I intended --

15 Q. What are you intending to tell me by  
16 that?

17 A. These are vehicle specs. I didn't do  
18 any --

19 Q. Okay.

20 A. -- calculations based off of that  
21 turning rate. This is general vehicle specs,  
22 similar to the wheelbase, which is going to be  
23 the rear axle to the front axle.

24 Q. And, look, I don't want to get into the



1 weeds with you, but when you tell me turning  
2 radius of 23.6 -- that's your wording in your  
3 report.

4 when you tell me a turning radius of  
5 23.6 feet, is that the car in a full circle turn  
6 and the width from one extreme end of the circle  
7 to the other? That's all I'm asking.

8 A. And I'm telling you, that's either that  
9 or it's going to be twice that. I'd need to  
10 look up how they report that. It's nothing that  
11 was reported -- or had no bearing on any of my  
12 opinions in this case.

13 Q. Well, okay. So that's -- see, that's a  
14 problem for me because the turning radius of his  
15 vehicle, Mr. Parker's vehicle, is going to be  
16 different than the turning radius of a Ford  
17 F-150, and in order to come off of that mailbox,  
18 you're going to implicate the turning radius of  
19 those two vehicles, correct?

20 A. The F-150 is a shorter wheelbase, a  
21 shorter turning radius relatively, and so it's  
22 going to be able to take a tighter turn, if  
23 that's what you're trying to get to.

24 Q. Right. So when you took the F-150 out



1 there and attempted to recreate to the extent  
2 you that could, you really were using a more  
3 efficient vehicle in a turn than Mr. Parker did  
4 in his vehicle. You could get a tighter turn  
5 out of it, couldn't you?

6 A. The vehicle can get a tighter turn.  
7 Once again, I was not trying to replicate the  
8 exact vehicle movements, just the general path  
9 and the steering wheel inputs.

10 Q. Okay. All right. All right. Well,  
11 look, so let's do this. Your second opinion on  
12 Page 31 of your report -- are you with me? Do  
13 you see it?

14 A. I am there.

15 Q. You there?

16 A. Yes.

17 Q. Okay. "So while driving forward from  
18 the stopped position near the 213 25th Street  
19 mailbox, Mr. Parker must have turned the  
20 steering wheel to the right and then to the left  
21 for the vehicle to reach the point of rest . . .  
22 while oriented approximately parallel with the  
23 road."

24 The turning radius, even though it may



1 not be but just a few feet, there would be a  
2 difference in his ability to get the car back  
3 into the road again straight and then off road,  
4 I guess, parallel with where he ultimately ended  
5 up coming to rest, right?

6 A. So this opinion is true regardless of  
7 the turning radius.

8 Q. I understand.

9 You're simply saying there that he  
10 turned -- he hit the mailbox, he came off the  
11 mailbox, took a right-hand turn, and then  
12 ultimately ended up half off the roadway and  
13 half on the roadway, right?

14 A. That's his path, yes.

15 Q. Okay. So other than saying that,  
16 that's really about the only -- that's the only  
17 opinion that you're attempting to communicate to  
18 me in Item 2, right?

19 A. I'm stating how a vehicle can get  
20 parallel to the road at the point of rest from  
21 where it contacted the mailbox. You can't just  
22 put in a right-hand turn and get to that  
23 post-accident location. You're going to end up  
24 at an angle diagonal to the road.



1 Q. I understand that.

2 He came off the mailbox, turned until  
3 ultimately, he came up where the vehicle rested  
4 half on and half off, right?

5 A. And you need to put in a left-hand turn  
6 towards the end to get parallel to the road with  
7 the right-side wheels in the grass.

8 Q. All right. And I'm fine with that.

9 That's what you're attempting to  
10 communicate to me at Item 2?

11 A. Yes.

12 Q. All right. Good.

13 Item 3 -- by the way, do you know of  
14 anybody that is disputing your observation at  
15 Item 2?

16 A. I guess I haven't seen anyone dispute  
17 that, but I didn't see anyone point it out  
18 either.

19 Q. Okay. So as far as the facts are  
20 concerned, that's just a factual conclusion that  
21 you're making, that the vehicle came off of --  
22 Mr. Parker's vehicle came off of the mailbox,  
23 took a right-hand turn, and then did a left-hand  
24 turn or left-hand veer until he came to rest



1 half on and half off the roadway, right?

2 MS. RAVEENDRAN: Objection to form.

3 THE WITNESS: So that's --

4 MR. WHITFIELD: whoa, whoa. What's the form  
5 objection -- stop, stop, stop.

6 What's the form objection, Bhavani?  
7 What am I saying wrong? I'm just trying to get  
8 it right.

9 MS. RAVEENDRAN: You're mischaracterizing his  
10 earlier testimony by saying this is a fact  
11 conclusion when it's an expert opinion he's  
12 giving in the case. Also, it's vague because  
13 you're referencing things, you know, just in  
14 generalities on the question.

15 So, you know, if you want to ask him if  
16 that's his opinion, I have no objection to that  
17 whatsoever, but asking him if that is merely a  
18 fact opinion, you know, I don't think that's a  
19 fair question.

20 MR. WHITFIELD: Okay. Well, that's my  
21 question.

22 Now I'd like for you to answer that  
23 question, if you can.

24 MS. RAVEENDRAN: You can answer.



1 THE WITNESS: Sure. To the best I can  
2 remember the question, this is the path -- you  
3 know, it's based on my -- me being down there,  
4 surveying it, understanding the dimensions, the  
5 geometry, and how the vehicles work. That's my  
6 opinion.

7 BY MR. WHITFIELD:

8 Q. Okay. Let's go to 3, your opinion at  
9 3. I'm going to ask you some questions about 2  
10 and 3.

11 But 3, "The physical evidence is  
12 consistent with Mr. Parker pulling over and  
13 traveling straight and approximately parallel to  
14 the road prior to coming to a stop and not  
15 consistent with a vehicle that only had a right  
16 steering wheel input after pulling forward from  
17 the mailbox."

18 Do you know of anybody that has said  
19 that Mr. Parker, once he pulled off the mailbox,  
20 continued in a right-hand turn and not right and  
21 then left, ultimately ending up half on and half  
22 off the road? Do you know of anybody that's  
23 contending what you're saying is not consistent  
24 in that opinion?





1 A. It's my interpretation of  
2 officer Cuevas's version of the events, is that  
3 the vehicle was veering towards the south side  
4 of the road. And so that would be an  
5 inconsistency.

6 Q. Not -- so you're saying it's not  
7 consistent with a vehicle that only had a right  
8 steering wheel input after pulling forward from  
9 the mailbox; you're saying that if this vehicle  
10 came off the mailbox and was traveling toward  
11 him until he got off the road, there's something  
12 inconsistent with Cuevas's rendition of that  
13 fact?

14 A. My understanding of Cuevas's testimony  
15 is that the vehicle was not traveling east but  
16 veering southeast towards the south side of the  
17 road, and that's when he shot the vehicle and  
18 the vehicle came to a stop. So I think that is  
19 inconsistent with the vehicle level -- you know,  
20 turning a left-hand turn from the driver,  
21 parallel to the road, and traveling forward for  
22 some distance.

23 Q. Okay. All right. So you believe -- so  
24 what is the basis of that opinion? What's --



1 are you saying that the basis of your opinion  
2 is, is that you read Jason Cuevas's depo, and  
3 because the vehicle is apparently straightaway  
4 half on and half off, the vehicle when it came  
5 to rest, that there was something wrong with  
6 officer Cuevas's rendition of the fact? what  
7 are you saying by that? why are you saying  
8 that's even a thing?

9 A. Well, I think I stated already what I  
10 believe Officer Cuevas's testimony is. But if  
11 you look at, to point it out in the report,  
12 Figure 7 where the red arrow is on Page --

13 Q. Page what?

14 A. Page 7, Figure 7.

15 Q. Page 7, Figure 7? okay.

16 A. Yeah, so that red arrow is pointing to  
17 matted-down grass.

18 Q. okay.

19 A. You can also kind of see it on the  
20 bottom right corner, so it would be the right  
21 rear wheel of Figure 8.

22 Q. okay.

23 A. It's a little tougher to see the  
24 matted-down grass there, but there as well.



1           So that's my evidence that the truck  
2 was traveling forward for some period of time  
3 and not at an angle directed towards the south  
4 side of the road. And that seemed to be  
5 inconsistent with Officer Cuevas's testimony,  
6 and so that's why I put that in the opinion.

7           Q.    Okay. So we know where the vehicle  
8 came to rest, right? We know that. We've got  
9 plenty of pictures of that, don't we --

10          A.    We know.

11          Q.    -- right?

12               And we know that the vehicle came off  
13 of the mailbox and had to at least straighten up  
14 into the roadway? We know that, don't we?

15          A.    We don't know how long it straightened  
16 out in the roadway because it's -- at first,  
17 it's going north, and then it's at an angle and  
18 it's changing. So it's possible that, you know,  
19 it never straightened out, that it was -- just  
20 started going back -- you know, kept the  
21 right-hand turn. So it went right past directly  
22 east and it was facing southeast, and then  
23 continued that path to get to the grass, and  
24 then putting the left --



1 Q. okay.

2 A. So just based on getting from the  
3 mailbox to the point of rest, you know, I can't  
4 say how long or if at all he was traveling  
5 directly east.

6 Q. well, do you know at what angle the  
7 truck entered the grass, even though its tires  
8 seemed to be straight? Do you know at what  
9 angle Mr. Parker entered the grass in his  
10 vehicle?

11 A. I don't know the exact angle, no.

12 Q. okay. well -- so you don't have any  
13 evidence to suggest that Mr. Parker's vehicle  
14 came onto the grass at an angle and then  
15 straightened up after it finally stopped?

16 A. No, it had to come at an angle and then  
17 straighten up based on where it was at the  
18 mailbox and the short distance it traveled.

19 Q. How is that inconsistent with the  
20 testimony of Officer Cuevas?

21 A. Because he said when he shot the truck,  
22 the truck was at an angle coming towards him on  
23 the south side of the road, and the truck  
24 stopped. He didn't say that the truck continued



1 and -- left steering wheel input and the truck  
2 levelled out parallel to the road.

3 Q. Oh, okay. So your quibble, then, is  
4 over your interpretation of what Officer Cuevas  
5 said at the time that he shot and the vehicle  
6 ultimately came to a rest?

7 A. Basically.

8 Q. Okay. All right. Well, you don't know  
9 -- do you know where the vehicle was on the  
10 roadway and what angle it was when the first  
11 shot was made to the vehicle?

12 A. I mean, I don't know if -- it's  
13 possible that the first shot was made after the  
14 truck was already stopped.

15 Q. Well, it's possible, but it's possible  
16 that it was not, correct?

17 A. Yes. I state those two possibilities  
18 in my report.

19 Q. Well -- so -- but what I'm asking you,  
20 though -- we're not really allowed to do any  
21 possibilities under Mississippi law. We are  
22 only allowed -- and certainly, probabilities  
23 makes admissible evidence.

24 Is it probable or only possible that



1 you don't know -- let me ask you this -- sorry,  
2 bad question.

3 You don't know where the angle of the  
4 vehicle was when the first shot was made, do  
5 you, in the roadway?

6 A. Based on all the evidence and  
7 officer Cuevas's testimony that he made -- I  
8 think he used rapid or quick shots, the truck  
9 was already pulled over when those shots were  
10 taken. I can't say if the truck was stopped or  
11 not.

12 Q. You can't say whether the truck was in  
13 motion or not when the first shot, second shot,  
14 third shot, or fourth shot, if that's what the  
15 proof shows, was made in relationship to when  
16 the vehicle was stopped? You can't -- you don't  
17 have any ability to tell me that, do you?

18 A. I don't have any physical evidence to  
19 tell you if the truck was still moving forward,  
20 you know, parallel to the road, the right wheels  
21 in the grass, left wheels on the roadway when  
22 the four shots were made.

23 Q. Okay. And let me make sure I  
24 understand what you just said.



1           Relative to the shooting itself, the  
2   actual firing of the weapon, you don't know  
3   whether the vehicle was in motion or not when  
4   that happened, do you, by the physical evidence?

5       A.    By the physical evidence, I can't say  
6   whether the vehicle was in motion or not.

7       Q.    Okay.  When the firing of the weapon  
8   occurred?

9       A.    Correct.  I said there's two -- I know  
10   you don't like the word "possibilities," but I  
11   state the two possibilities in my report.

12       Q.    Well, we're not -- here's what we're  
13   ultimately going to have to grapple with.  I  
14   will object at trial to any testimony that you  
15   give that is a possibility only.  I will  
16   probably be overruled if the judge hears the  
17   word "probability" come out of your mouth.

18            You're not able to say that it's  
19   probable that the vehicle was or was not in  
20   motion when the shots occurred, are you?

21       A.    So if we're just talking about the  
22   physical evidence, I can't say one's more likely  
23   than the other.

24            When you consider all the witness



1 testimony, you know, that might be a different  
2 story.

3 Q. Well, that's -- that's -- you're  
4 listening to witnesses' testimony that certainly  
5 most, if not all, of them had been drinking.

6 Did you know that?

7 A. I'm aware.

8 Q. Did you know what the toxicology was  
9 for Mr. Parker?

10 A. I do not recall that.

11 Q. You haven't seen that, have you?

12 A. I might have saw it, but it's not  
13 really relevant to --

14 Q. I understand. Well, I mean, since  
15 we're talking about things outside the physical  
16 evidence, I'm just trying to maybe understand  
17 what it is that you reviewed and what you didn't  
18 review. Okay?

19 The physical evidence doesn't suggest  
20 that you can tell, as a professional engineer,  
21 when the shots were fired relative to the  
22 movement of the vehicle? You can't say that,  
23 can you?

24 A. I can say that the vehicle was either





1 stopped or already pulled over and it pretty  
2 much stopped immediately. Everyone -- there's  
3 no testimony that the vehicle traveled a great  
4 distance after the shots were fired.

5 And I know the path taken -- general  
6 path taken by the truck. I've got my contact  
7 with the mailbox, I've got my point of rest,  
8 I've got my tire marks, matted-down grass. It  
9 says for at least some distance, the truck was  
10 parallel to the road. I know that to execute  
11 that general maneuver, you need the right input;  
12 once you get off the road, you've got to input  
13 left to pull over. I know all those things.

14 But I can't say one way or the other if  
15 the truck was absolutely stopped, based on the  
16 physical evidence, or not when the shots were  
17 fired. But in order for the vehicle to stop  
18 there where it did stop, it either had to be  
19 traveling at a very low rate of speed or the  
20 brake had to be applied.

21 Q. Okay. And you don't know either way,  
22 do you?

23 A. Those are the two possibilities -- two  
24 options. How about that?



1 Q. well -- sir?

2 A. Yes.

3 Q. Two what?

4 A. Two options.

5 Q. Two options. okay.

6 okay. So do you know what -- the  
7 reaction, if any, that Mr. Parker had relative  
8 to the brake when he was shot?

9 A. I have no way of knowing that.

10 Q. Correct. well, you mention in your  
11 report that you don't -- you don't know whether  
12 the service brake was applied. In fact, on  
13 Page 30 of your report, you gave different  
14 scenarios about traveling and about, you know,  
15 speed and things like that, but you qualified  
16 every single sentence by saying that you didn't  
17 know whether the service brake was applied or  
18 not, right?

19 Look at Page 30 of your report. Look  
20 at Page 30 of your report, sir.

21 A. I'm there. Can you point to the  
22 sentence you're referring to?

23 Q. I'm trying to do that. Look at Page 30  
24 of your report.



1 A. I am.

2 Q. 30.

3 A. I'm on it.

4 Q. Okay. Page 30 of your report, if you  
5 look down about midway, you'll see a sentence  
6 that begins that, "If the vehicle's average RRC  
7 was .035 . . . and it was traveling at 5 miles  
8 per hour, it would continue to roll for  
9 approximately 6.5 seconds and 24 feet before  
10 stopping if the service brake was not applied."

11 A. That's true.

12 Q. So you're taking -- you're essentially  
13 recognizing an unknown that you don't know  
14 whether the service brake was applied or not,  
15 correct?

16 A. I think I'm very clear with that. It's  
17 -- there's two options.

18 Q. And I don't have a -- I'm not quibbling  
19 about that. I'm just trying to get you to  
20 recognize that at four different spots --  
21 actually, five -- five different spots in that  
22 paragraph, you acknowledge that you don't know  
23 whether the service brake was applied.

24 A. So this paragraph is just talking about



1 if you're going at 5 or 10 miles an hour, how  
2 far you would expect the vehicle to continue to  
3 roll before it came to a stop. It's not going  
4 to come to an immediate stop without the service  
5 brake being applied.

6 Q. And that's the point of my question.  
7 You don't know that?

8 A. I don't know if the service brake was  
9 applied or not. What I'm saying is, if he was  
10 going 5 miles an hour or 10 miles an hour, he  
11 would have kept going further, you know, right  
12 before -- during the shooting, he would have  
13 rolled well past where the vehicle was found  
14 after the accident.

15 Q. Well, wouldn't that tell you, then,  
16 that the service brake had to have been applied?

17 A. That or that he was traveling very  
18 slow, a couple miles an hour.

19 Q. Okay. So it's one or the other?

20 A. Yes.

21 Q. Okay. But I count at one, two, three,  
22 four -- six, six spots in that paragraph where  
23 you've acknowledged that you don't know whether  
24 the service brake was applied depending upon the



1 speed of the vehicle and where the vehicle came  
2 to rest.

3 A. So each time that's mentioned in that  
4 paragraph, that's just emphasizing how far the  
5 vehicle will roll without the service brake  
6 being applied. These are true just due to that  
7 environment. It has nothing to do with him  
8 applying the brake or not applying the brake.  
9 These are calculations based on the rolling  
10 resistance at the scene.

11 Q. Yeah, but as it pertains, though, to  
12 this accident, you really can't say how fast the  
13 vehicle was -- how fast it was going before the  
14 shooting or at the very end of the shooting  
15 because you don't know whether the service brake  
16 was applied or not by Mr. Parker? You don't  
17 know that?

18 A. It's possible that he applied the  
19 service brake.

20 Q. Okay. Well, the vehicle had to come to  
21 a stop somehow, didn't it?

22 A. I agree. It was either traveling at a  
23 very low speed or he applied the service brake.  
24 But that doesn't mean that it was traveling at a



1 fast speed. You could -- the service brake  
2 could stop at a whole number of speeds.

3 Q. Well, that's a good point. The service  
4 brake being applied can stop that vehicle at a  
5 number of speeds, correct?

6 A. Correct.

7 Q. Okay. And you don't know whether the  
8 service brake was applied or not, correct?

9 A. You know, there's -- are we just  
10 talking about the physical evidence or --

11 Q. That's a yes-or-no answer, sir.

12 A. Are you talking about the physical  
13 evidence or the witness testimony?

14 Q. I'm talking about your understanding of  
15 physics and engineering.

16 If that vehicle was traveling 5 miles  
17 an hour, 2 miles an hour, 10 miles an hour  
18 before that vehicle came to a stop given the  
19 distance from the mailbox, the service brake had  
20 to be applied?

21 A. Just the physics for when the area  
22 where the truck had to get into the grass, if it  
23 was going 5 or 10 miles an hour, it would have  
24 rolled past where it came to a rest.



1 Q. Unless the service brake was applied?

2 A. Absolutely. Right. If it's going  
3 slower, then it could stop.

4 Q. Okay. If it was going slower, it could  
5 stop; if it was going faster, then it would  
6 require the service brake to be applied,  
7 correct?

8 A. Correct.

9 Q. Go over to Page 31 -- back to 31.

10 MS. RAVEENDRAN: Bill --

11 BY MR. WHITFIELD:

12 Q. On Item No. 4 --

13 MS. RAVEENDRAN: Bill --

14 MR. WHITFIELD: Ma'am?

15 MS. RAVEENDRAN: I was going to ask, we don't  
16 need to stop right this second or anything, but  
17 when there's a good stopping point, if we could  
18 take a break, that would be appreciated.

19 MR. WHITFIELD: I'll tell you what, if you'll  
20 give me, like, ten minutes -- ten more minutes,  
21 I'm probably about done. If we can do that.

22 MS. RAVEENDRAN: Yeah. No, that's fine.

23 THE WITNESS: It's good with me.

24 MR. WHITFIELD: Okay. I'm not -- I'm kind of



1 close to the end.

2 BY MR. WHITFIELD:

3 Q. No. 4, 25th Street is approximately  
4 flat, nobody's taking issue with that, right, as  
5 far as you know?

6 A. As far as I know. But, you know, I  
7 didn't know what other people would say, so  
8 that's just a --

9 Q. Okay.

10 A. -- fact based on what I analyzed down  
11 at the scene.

12 Q. Well, I guess I'm just -- I'm trying to  
13 figure out why that would be a subject of an  
14 opinion or a conclusion, the terrain. I mean,  
15 it's certainly an observation that I have no  
16 problem with. I'm just kind of scratching my  
17 head as to why that would be --

18 A. Well, let me tell you.

19 Q. -- part of your opinion.

20 A. Let me tell you. Because when I'm  
21 calculating how far the vehicle is going to  
22 roll, one of the things I have to consider, is  
23 there an incline or not. So that is --

24 Q. Right.





1 A. -- why it's in there.

2 Q. Well, I'm glad you mentioned that.

3 So an incline has everything to do with  
4 the ability of a vehicle to roll in either --  
5 one way or the other. If it's -- if it's an  
6 uphill or an incline, the vehicle's not going to  
7 roll very efficiently, if at all, and if it's a  
8 downhill incline, then the vehicle will roll  
9 more efficiently, correct?

10 A. It has a -- it'll roll, you know,  
11 higher -- so the incline is a force retarding  
12 the rolling versus --

13 Q. Right.

14 A. -- the decline is going to help  
15 accelerate the vehicle.

16 Q. Sure.

17 Let me ask you this just from the  
18 standpoint of weight: If there were a baby  
19 grand piano in the back of the bed of this  
20 pickup truck, would that vehicle have been more  
21 inclined to roll at all with that kind of weight  
22 in the back of the pickup --

23 MS. RAVEENDRAN: Objection to form.  
24



1 BY MR. WHITFIELD:

2 Q. -- if there's no acceleration?

3 A. So as I state in the report, the  
4 rolling resistance coefficient is multiplied by  
5 the normal force on each wheel. So the heavier  
6 the vehicle, the more tractive force from the  
7 engine to the drivetrain to the wheels required  
8 to get the vehicle to roll forward.

9 Q. Correct.

10 Are you familiar with tuning an engine?

11 Are you familiar with tuning up an engine?

12 A. Sure.

13 Q. Have you ever tuned an engine before?

14 A. I have not personally tuned an engine.

15 Q. Do you know -- do you know what kind of  
16 manufacturers' recommendations there would be  
17 for an RPM of a vehicle like this when it's  
18 idling? Do you know what the RPM spec is or the  
19 recommendation is?

20 A. It depends on the vehicle. But I will  
21 tell you that the two exemplars I looked at,  
22 they both were in good shape -- well, the one in  
23 Chicago was in better shape, but they both idle  
24 at 500 RPM. So all three of the vehicles idle



1 at 500 RPM.

2 Q. Wouldn't the vehicle idling at 500  
3 either way depend upon the condition of the  
4 vehicle and the drivetrain?

5 A. I mean, the idle set is based on a  
6 number of sensors and configuration of the  
7 vehicle. But, once again, the exemplars I  
8 looked at, they idled at 500 as well.

9 Q. I got it. But that's not my question.  
10 My question is: Wouldn't the ability  
11 of the car to move forward at 500 RPMs depend  
12 upon the efficiency of the drivetrain, including  
13 the transmission, driveshaft, differential, all  
14 the way out to the rear wheels?

15 A. What do you mean by "efficiency"? Is  
16 something wrong with the drivetrain?

17 Q. Well, if you've got -- well, if you've  
18 got a wore-out transmission, is that vehicle  
19 going to move at 500 RPMs versus a brand-new  
20 vehicle off the lot at 500 RPMs?

21 A. There might be a difference, but I have  
22 no evidence that there was anything wrong with  
23 this truck.

24 Q. Okay. But you don't know that there



1 wasn't anything wrong with the transmission  
2 either, do you? You don't know that, do you?

3 A. I didn't see anything in the literature  
4 I downloaded, and I know he drove there from  
5 some distance.

6 Q. The -- this vehicle had 137 -- I think  
7 we agreed that it was 130, 138, maybe 140 --  
8 140,000 miles on it, roughly, at the time of  
9 this incident.

10 Is it your opinion that that  
11 transmission that was in that truck was  
12 off-the-lot efficient?

13 MS. RAVEENDRAN: Objection; calls for  
14 speculation.

15 THE WITNESS: The exemplar --  
16 BY MR. WHITFIELD:

17 Q. Well -- and that's the point. That's  
18 the point. You're speculating as to whether the  
19 transmission was as efficient then as it was off  
20 the lot. You're speculating, aren't you?

21 MS. RAVEENDRAN: Objection; form, misstating  
22 testimony.

23 THE WITNESS: The exemplar I looked at, I  
24 think, had even more miles. I don't know the



1 exact condition of the truck and --

2 BY MR. WHITFIELD:

3 Q. I thought the -- I thought the exemplar  
4 that you looked at only had, like, 114 on it.  
5 Maybe I'm -- maybe I'm misremembering that.

6 A. No.

7 Q. The one that you looked at up in  
8 Chicago?

9 A. Yeah, you can -- let's pull that up.  
10 I'm not sure how many miles -- I know it was  
11 over 100 for sure.

12 Q. Oh, I know it was over a 100. But it  
13 was 114, 115, wasn't it? I think I made that an  
14 exhibit. I'll need to find that.

15 MR. WHITFIELD: I'll tell you what, Bhavani,  
16 let's go ahead and take a break because I need  
17 to find that, and then we will come back to this  
18 topic.

19 MS. RAVEENDRAN: Okay. How long do you need,  
20 Bill?

21 MR. WHITFIELD: Okay. We'll come back to  
22 this -- ma'am?

23 MS. RAVEENDRAN: How long do you need? When  
24 do you want to come back?



1 MR. WHITFIELD: Let's take about two to three  
2 minutes, four minutes maybe. Because I need to  
3 find that document.

4 BY MR. WHITFIELD:

5 Q. You're talking about that document,  
6 John, that you went to Car World or whatever up  
7 in Chicago?

8 A. Yeah, the exemplar I did the force  
9 testing on. Yeah, there was over 100,000. I  
10 don't remember the exact mileage on it.

11 Q. Well, okay. Let's just do this: Let's  
12 just let the record speak for itself. Whatever  
13 it is, it is. Okay? I can't find it on the  
14 stuff that I introduced. Let's just -- let's  
15 let that alone.

16 But I guess here's my point -- and I  
17 want to kind to get to -- I'm trying to get  
18 done. Okay? And if you would kind of be fair  
19 with me and give me, you know, a right answer.

20 I mean, are -- you're not telling me  
21 and certainly not telling the Court or a jury  
22 that a vehicle off the lot with a transmission,  
23 like, in a 2014 Sierra was just as efficient in  
24 transferring power out to the wheels as a



1 vehicle that had 135- to 140,000 miles on it  
2 already? You're not trying to say that, are  
3 you?

4 A. No. Without -- I can't say how close  
5 it would be, but I would be -- I'd be shocked if  
6 it didn't roll forward. You know, I would be  
7 surprised if there was any significant  
8 difference unless there was something  
9 significantly wrong with that vehicle.

10 Q. Okay. Well, the vehicle itself was  
11 half on and half on roadway -- half off, half on  
12 the roadway, and according to you, was idling at  
13 500 RPMs and was not moving.

14 would that suggest to you that a --  
15 that the transmission itself was as efficient as  
16 it was off the lot?

17 A. You keep saying "off the lot."

18 Q. You don't know, do you?

19 A. You keep saying --

20 Q. Or brand new?

21 A. Can I finish?

22 Q. Sure, you can.

23 A. A truck -- 2014 truck in 2020 is not  
24 going to be exactly the same as it is eight



1 years later, or how many years later,  
2 regardless, with that many miles. It's still  
3 going to propel itself forward unless there's  
4 something significantly wrong. And there's no  
5 evidence of anything significantly wrong with  
6 the transmission or anything with the truck.

7 Q. But -- okay. And I appreciate that.  
8 But you have no evidence that there wasn't  
9 anything wrong with this tran- -- with this  
10 vehicle, do you? You have no evidence that  
11 there were problems with the vehicle, problems  
12 with the transmission, problems with the engine?  
13 You have no evidence of that at all, do you?

14 A. I know he's driving a lot of miles in  
15 the truck based on the CARFAX.

16 Q. Yep, that's a fact.

17 And the CARFAX shows it's in the shop a  
18 lot, too, doesn't it?

19 A. Well, let's pull it up. Was it oil  
20 change? I don't remember why it was in the  
21 shop. I mean, could be --

22 Q. I don't know either, to be honest with  
23 you. I don't know that there's any identity of  
24 the work that's done. But, I mean, you can see





1 that it's --

2 A. Sometimes they --

3 Q. -- in the shop.

4 A. Sometimes they state the work that was  
5 done in the CARFAX. Sometimes they don't.

6 Q. Yeah, well, okay. But the fact of the  
7 matter is, is that as we sit here today, you  
8 don't know whether the car was in good shape or  
9 the car was in bad shape or the car was in  
10 medium shape? You don't know that, do you?

11 A. I can't state the condition of the car  
12 other than I know it was in a drivable  
13 condition.

14 Q. Drivable condition. Okay.

15 But nonetheless, it did come to a stop,  
16 even though it was in gear and putting out 500  
17 RPMs?

18 A. Which is consistent with the exemplars  
19 I looked at.

20 Q. Is that a yes?

21 A. I said, which is consistent with the  
22 exemplar trucks I looked at, the 500 RPMs, which  
23 you seem to indicate is an issue.

24 Q. Did you get in the exemplar -- the 2014



1 GMC Sierra exemplar, did you get into that car  
2 and go park it on the side of the road somewhere  
3 where you had the right drive wheel and the  
4 front right steer wheel off the roadway, put it  
5 in drive, and get out of it? Did you do that?

6 A. I did not.

7 Q. Look at your -- the last page of your  
8 report, 32. You say, "Under the scenario where  
9 the vehicle was brought to an immediate stop  
10 after the shooting, Mr. Parker must have applied  
11 his service brake."

12 Now, I guess you're giving me an  
13 opinion or a conclusion, and I'm kind of  
14 wondering where we may very well disagree by you  
15 giving that conclusion. I think that the car  
16 came to a stop after the shooting, just like  
17 you.

18 A. That's --

19 Q. But -- but you say he must have applied  
20 the service brake. Do -- I don't disagree with  
21 that. Why would you disagree with that?

22 MS. RAVEENDRAN: Objection; misstating the  
23 report.

24 MR. WHITFIELD: well, let me read it.



1 BY MR. WHITFIELD:

2 Q. "Under the scenario where the vehicle  
3 was brought to an immediate stop after the  
4 shooting" -- three shots or four shots --  
5 "Mr. Parker must have applied his service  
6 brake."

7 Is that your opinion?

8 MS. RAVEENDRAN: Objecting because you're not  
9 reading the report --

10 THE WITNESS: So, once again --

11 BY MR. WHITFIELD:

12 Q. whoa, whoa, stop, stop. Read your  
13 report. Look at Page 32 of your report. You  
14 tell me if I misspoke one word in that opinion.

15 MS. RAVEENDRAN: Bill, you added "three shots  
16 or four shots." That was my only objection.  
17 You otherwise read it correctly.

18 MR. WHITFIELD: Oh, okay.

19 BY MR. WHITFIELD:

20 Q. well, it says, "after the shooting."  
21 Do you know how many shots were fired,  
22 Mr. Stamm?

23 A. So some of the police reports indicate  
24 there was three; some, there was four. I think



1 it's more consistent with four shots.

2 Q. Okay.

3 A. But to answer your question, there's  
4 two scenarios -- I was calling them two  
5 possibilities earlier or two options.

6 So if the truck's brought to an  
7 immediate stop where it's rocking back and  
8 forth, like Cuevas testified to, he had to apply  
9 the service brake. Otherwise, it would have  
10 kept on rolling forward, depending on the speed,  
11 of the distances I talk about in the report.

12 Q. Okay. I'm good with that.

13 You go on to say at Paragraph 6, "It is  
14 unknown if Mr. Parker could have applied the  
15 service brake after being shot at and hit."

16 You don't know that, do you?

17 A. That's why I wrote it's unknown.

18 Q. So we -- so you don't know whether  
19 Mr. Parker applied the service brake after being  
20 shot, do you?

21 A. That's what I stated, right? I agree.

22 Q. Okay. I would be happy with yes,  
23 that's what you stated. Because I think we  
24 agree on that.



1 Now, you go on to Paragraph 7, and you  
2 say, "Under the scenario where the truck was  
3 already stopped prior to the shooting and the  
4 service brake was not applied, Mr. Parker must  
5 have been traveling at a slow rate of speed and  
6 coasted to a stop solely due to rolling  
7 resistance force of the vehicle."

8 So you're presenting that as a  
9 scenario; you're really -- you're not suggesting  
10 to me, as a reader, that you know that, correct?

11 A. Correct. I can't say which scenario  
12 happened based on the physical evidence.

13 Q. Sure. Okay.

14 You go on to say, "Alternatively,  
15 Mr. Parker could have utilized the service brake  
16 to stop his vehicle prior to the shooting,  
17 consistent with the witnesses that testified  
18 that they saw his brake lights." Right? You  
19 say that?

20 A. Yes.

21 Q. So you're adopting their particular  
22 version of the test- -- of facts based upon them  
23 seeing brake lights being applied, which would  
24 indicate that Mr. Parker actually did put his



1 foot on the brakes, right?

2 A. In this scenario, I'm talking about,  
3 yeah, the truck being stopped. And I'm just  
4 pointing out that there's two ways to stop the  
5 truck prior to the shooting. It's either  
6 traveling very slow or applying the brake prior  
7 to the shooting.

8 And I was pointing out that some of the  
9 witnesses testified that they saw brake lights,  
10 and that's consistent.

11 Q. Well, other than the witnesses'  
12 testimony, if you took them out of the equation,  
13 you wouldn't have anything scientific to rely  
14 upon to verify that particular account one way  
15 or the other, would you?

16 A. Just the consistent with witnesses that  
17 testified they saw his brake lights. You know,  
18 that's the only thing that relates to the  
19 witness testimony.

20 Q. Well, if he put his foot on the brake,  
21 the brake lights would come on, wouldn't they?

22 A. Correct.

23 Q. Regardless of whether the shooting  
24 occurred before, during, or after the brake



1 lights were applied.

2 You don't have anything that you can  
3 look at scientifically and say, yep, they're  
4 right, they're wrong, do you?

5 A. I guess I'm a little confused by the  
6 question.

7 Q. So yeah, I -- I saw that in your eyes.

8 So if you take the witnesses' testimony  
9 out of the equation, you don't have anything  
10 scientific that would suggest that Mr. Parker  
11 put his foot on the brake either before, during,  
12 or after the shooting?

13 A. Just the brake? No, I can't say.

14 Q. Okay. And you can't say whether the  
15 vehicle stopped before the shooting or after the  
16 shooting? You can't say that other than the  
17 witnesses saying that?

18 A. Right. The physical evidence says he  
19 was either traveling very slow or he applied the  
20 service brake.

21 Q. Right. And if he applied the service  
22 brake, then he would have been going a little  
23 bit more than very slow, correct?

24 A. Not necessarily.



1 Q. You don't know, do you?

2 A. I can't say. There's no evidence one  
3 way --

4 Q. Okay. No evidence for that.

5 So you're having to basically kind of  
6 fill in the blanks a little bit with some of the  
7 witnesses that we know most, if not all of them,  
8 had been drinking, right?

9 A. When you say --

10 MS. RAVEENDRAN: Objection to form.

11 THE WITNESS: -- "some of the witnesses," I  
12 just said -- that last sentence or half sentence  
13 in Opinion 7 to saying that's consistent. So  
14 there's no fill in the blanks. It's just  
15 stating that is consistent.

16 BY MR. WHITFIELD:

17 Q. Well, the fill in the blanks basically  
18 are, I think, by your -- you're implying that  
19 the vehicle came to a stop before the shooting,  
20 and you can't get there unless you believe the  
21 witnesses that were in the same household that  
22 Parker and Markray were in?

23 A. I mean, I think I've testified a number  
24 of times here that based on the physical





1 evidence, I can't say if it was stopped or not.

2 Q. Okay. Let me real quickly run through  
3 these photographs with you that I had that I've  
4 sent to the court reporter.

5 MR. WHITFIELD: Ms. Court Reporter, I'm  
6 probably going to have to pull these things up  
7 one at a time.

8 But I just want to get you to kind of  
9 acknowledge these with me, John. Okay?

10 Ms. Court Reporter, you can print these  
11 out. They're all the pictures that I've sent to  
12 you.

13 MS. RAVEENDRAN: We have them printed --

14 MR. WHITFIELD: Ma'am?

15 MS. RAVEENDRAN: We have them printed, Bill.

16 MR. WHITFIELD: Oh, good. Okay. Great.  
17 Okay. So we can attach them to the deposition.  
18 It looks like it's going to be Exhibit 58. Am I  
19 right?

20 THE COURT REPORTER: Yes.

21 MR. WHITFIELD: Okay, 58. So Exhibit 58, all  
22 right.

23 (Stamm Exhibit No. 58 marked.)

24 MS. RAVEENDRAN: And that -- do you want to



1 just verify for us, Bill, what is the bottom  
2 right Bates number of the first picture so we  
3 make sure we have got the same thing in front of  
4 us?

5 MR. WHITFIELD: Okay. The first number on  
6 the first page is MBI CSU Garage Photos 075.

7 THE WITNESS: That's what's in front of me.

8 BY MR. WHITFIELD:

9 Q. Okay. It should be a bottle of beer.

10 A. That's what I see.

11 Q. Do you see that?

12 A. I do.

13 Q. That's it. Okay.

14 So do you remember seeing this picture  
15 in looking at the other MBI pictures that you  
16 were provided?

17 A. Yeah, it looks familiar.

18 Q. Okay. So this particular bottle came  
19 out of Mr. Parker's truck.

20 Are you aware of that?

21 A. I assume so.

22 Q. Okay. You indicated a minute ago that  
23 you weren't aware of the tox screen, so you  
24 don't know exactly what level of intoxication



1 Mr. Parker was in at the time of the shooting,  
2 do you?

3 A. I don't remember the number.

4 Q. Okay. Would the level of sobriety of a  
5 driver, would that -- would that have an effect  
6 on the ability of the driver himself to function  
7 -- to operate a vehicle properly?

8 A. Just my general knowledge, you know, I  
9 would assume so, but I don't have specific  
10 training on intoxication driving.

11 Q. Would an impaired driver be able to  
12 operate a vehicle as efficiently as a  
13 non-impaired vehicle -- a non-impaired person?  
14 Maybe you can answer that question for me.

15 A. I mean, potentially. I don't know  
16 what --

17 Q. Potentially?

18 A. What do you mean by "efficiently"?

19 Q. I'm talking about if I went out sober  
20 as a judge and operated my vehicle -- drove my  
21 vehicle home, which would take me 40 miles to  
22 get there, am I going -- am I going to operate  
23 my vehicle just as efficiently and properly as I  
24 would had I had -- had I had enough alcohol to



1 put me twice the level of intoxication in the  
2 state of Mississippi?

3 MS. RAVEENDRAN: Objection; calls for  
4 speculation.

5 THE WITNESS: I don't know -- I don't know  
6 how the alcohol affected his driving.

7 BY MR. WHITFIELD:

8 Q. Okay. All right. So do you know how  
9 alcohol affects anybody's driving?

10 A. Generally negatively.

11 Q. Generally negatively.

12 would that -- would your knowledge of  
13 the sobriety of Mr. Parker, would that affect  
14 your opinions in any form or fashion about his  
15 operation of the vehicle and maybe his relative  
16 ability to apply the brake if you knew -- if you  
17 knew the state of his sobriety?

18 A. So the question is: Can he apply the  
19 brake based on the state of his sobriety?

20 Q. No, that's not my question. That's not  
21 my question.

22 My question is: If you knew the level  
23 of intoxication of Mr. Parker at the time all  
24 this happened, would that affect his operation



1 of his vehicle --

2 MS. RAVEENDRAN: Objection --

3 BY MR. WHITFIELD:

4 Q. -- and your opinions?

5 MS. RAVEENDRAN: Objection; calls for  
6 speculation.

7 THE WITNESS: So I know he wasn't sober, I  
8 just don't remember what the number was. And it  
9 didn't affect my opinions about the physical  
10 evidence and --

11 BY MR. WHITFIELD:

12 Q. But the -- what is -- what is the blood  
13 alcohol content -- like, the maximum level that  
14 you can be, you know, tested for in Illinois if  
15 you're intoxicated? Do you know what it is?

16 A. I think it's .08.

17 Q. Yeah, that's what it is in Mississippi.  
18 If he -- if I told you that Mr. Parker  
19 was .18, do you understand what that means?

20 A. Yes, more alcohol.

21 Q. Well, he's twice -- he's twice the  
22 legal limit of being intoxicated in the state of  
23 Mississippi.

24 MS. RAVEENDRAN: Objection; calls for



1 speculation, foundation.

2 MR. WHITFIELD: So apparently, we haven't  
3 shared the tox screen with you, Bhavani, so I  
4 don't know that's speculative.

5 MS. RAVEENDRAN: No, he did that --

6 BY MR. WHITFIELD:

7 Q. I mean, do you think --

8 MS. RAVEENDRAN: Bill, he got the tox screen,  
9 but you're asking him for a medical opinion.

10 MR. WHITFIELD: Okay. So he's giving an  
11 opinion about somebody operating a vehicle. I  
12 would think that somebody that gives an opinion  
13 as an expert in the operation of a vehicle would  
14 understand the implications of somebody that was  
15 over twice the limit of -- legal limit of  
16 intoxication in my state and your state.

17 MS. RAVEENDRAN: He's giving you opinions  
18 within his expertise of engineering. He can't  
19 give you opinions on human factors evidence or  
20 how a body reacts to alcohol. He has tested the  
21 vehicle under the different --

22 MR. WHITFIELD: Okay. Well --

23 MS. RAVEENDRAN: -- scenarios presented by  
24 witness testimony. He's not allowed to decide



1 which witness is correct.

2 MR. WHITFIELD: I understand that. But you  
3 know what? Maybe next year when he gets a case  
4 that's involved and he's opposite of somebody  
5 that was intoxicated, then Mr. Defense Lawyer's  
6 going to be pulling this deposition out.

7 BY MR. WHITFIELD:

8 Q. Do you not understand, Mr. Stamm, the  
9 impact of alcohol and intoxication upon the  
10 ability of a driver to properly operate a  
11 vehicle? Do you not understand that?

12 MS. RAVEENDRAN: Objection; calls for  
13 opinions outside of his expertise.

14 But you can answer the question.

15 THE WITNESS: I think I said earlier it's  
16 generally negatively, but I have no idea how  
17 much it affected him.

18 BY MR. WHITFIELD:

19 Q. Okay. Okay. That's fine. I'm okay  
20 with it.

21 MR. WHITFIELD: Go to the next one, please,  
22 Kaara.

23 MS. RAVEENDRAN: You've got the next one,  
24 right?



1 MR. WHITFIELD: Hang on. There we go.

2 BY MR. WHITFIELD:

3 Q. So we're -- do you see that picture up  
4 there, John? It's a picture of the Sierra  
5 vehicle with the bullet holes in it.

6 Do you see that?

7 A. Yeah, 76. Yes.

8 Q. Okay. Yes, it's Picture No. 76.

9 You know, the only reason that I have  
10 this picture that I wanted to show you, as well  
11 as the next one and the next one after that, all  
12 the way to the end of this line of pictures,  
13 which shows the impact of the ammunition onto  
14 the vehicle --

15 MR. WHITFIELD: If you would, Kaara, can you  
16 just scroll through until you get to the end  
17 of --

18 MS. LIND: I can't do it with that exhibit.

19 MR. WHITFIELD: Oh, you can't just, like,  
20 walk them through? Okay.

21 BY MR. WHITFIELD:

22 Q. Yeah, this is -- this the next pic,  
23 which is 77. And I just have one question to  
24 ask you about -- about ten of these, okay, at





1 one time.

2 As she pulls them up, just take note of  
3 the image that you're looking at when she pulls  
4 them up one at a time.

5 That's No. 77.

6 No. 78 is the hood. That's what we  
7 call the defect, the defect...

8 That would be 79.

9 (Brief discussion off the  
10 record.)

11 MR. WHITFIELD: Picture 84. That's  
12 Picture 80 there.

13 Then Picture 81 would be next.

14 And then Picture 84 would be last at  
15 least in that series of pictures.

16 BY MR. WHITFIELD:

17 Q. As you're looking at those, John,  
18 here's my question to you: There is nothing  
19 about the impact damage to the windshield or  
20 even to the hood that would suggest to you if  
21 the vehicle was moving at the time that the  
22 damage was done? There's nothing about that  
23 that would suggest that to you, is there?

24 A. So there's -- you know, based on the



1 location of the defects --

2 Q. Yeah.

3 A. Yeah, I'm not a ballistics expert. I  
4 know Investigator Teates testified that he  
5 couldn't determine the trajectory. So, you  
6 know, it doesn't really mean a lot to me.

7 Q. Well -- so I'm not talking about  
8 trajectory as much as I'm talking about you're  
9 -- you've testified that you really aren't  
10 saying that the vehicle was moving or not at the  
11 time that the impact of the vehicle vis-a-vis  
12 the bullets occurred. Okay?

13 And you don't know that, right?

14 A. Correct.

15 Q. So all these pictures were designed to  
16 do would be to get you to acknowledge that or to  
17 show me if you could tell by -- let's just take  
18 84.

19 There's nothing about that impact to  
20 the windshield which says that that vehicle was  
21 moving at the time that that impact was made?

22 A. Nothing that I can tell. I mean,  
23 nothing that I know of.

24 Q. Okay. All right. And that's fine.



1 That's okay.

2 So let's then -- we can kind of put  
3 that series of pictures aside.

4 The next picture that I want to show  
5 you is Picture No. 68. This is scene pictures  
6 now that I'm going to show you. These are  
7 on-scene pictures that night.

8 THE WITNESS: Do you want these?

9 BY MR. WHITFIELD:

10 Q. Do you have that in front of you?

11 There you go.

12 A. I do.

13 Q. There's the picture of the vehicle that  
14 night. And you can see that it's kind of half  
15 on, half off the road.

16 Do you see that?

17 A. Yes.

18 Q. All right. Now, you testified a minute  
19 ago that you weren't really able to tell when  
20 the tires actually went off the road and at what  
21 angle. I think you -- you did testify to that a  
22 little while ago, right? I don't want to assume  
23 something.

24 A. I could give, like, an area. But



1 exactly where and exactly what angle, I can't  
2 say.

3 Q. Correct.

4 Did you -- did you ever make any  
5 assumptions about how close the vehicle was to  
6 the bushes?

7 A. There's a couple photos that shows  
8 that, so...

9 Q. Look at Picture No. 69, please.

10 A. Yep.

11 Q. So you see that picture -- and even 70,  
12 69 and 70.

13 Both of those pictures show the vehicle  
14 off the road at least on that street, on 25th  
15 Avenue, enough to be into the bushes, correct?

16 A. I would disagree with "into the  
17 bushes." It may have --

18 Q. Well, in the bushes.

19 well, the vehicle is in contact with  
20 the foliage on the side of the roadway, isn't  
21 it?

22 A. So it's kind of hard to tell in that  
23 photo if those bushes are behind the taillight  
24 or not. I think there's other photos that show,



1 you know, those bushes may --

2 Q. We'll get to those.

3 So when you're driving -- when you're  
4 driving down a roadway or -- like on 25th  
5 Avenue, I mean, is it normal for somebody to  
6 drive halfway -- halfway on and halfway off the  
7 road, street? Is it normal for somebody to  
8 drive halfway on and halfway on [sic] the  
9 street?

10 A. Just anywhere? Like, I'm a little  
11 confused by the question. This obviously wasn't  
12 a normal situation.

13 Q. Well, I mean, the vehicle had to have  
14 gotten off the road somehow, assuming it  
15 happened before the shooting, you know, like  
16 you're adopting some of the witnesses'  
17 testimony.

18 Is that an -- is that an appropriate  
19 spot for the vehicle to be if the vehicle is  
20 operating and using the street properly?

21 MS. RAVEENDRAN: Objecting to form.

22 THE WITNESS: You keep saying "adopting" some  
23 of the witnesses' testimony. Yeah, this is  
24 where it ended up. It made a maneuver where it



1 had a right-hand turn, it was arced, and then  
2 diagonal towards the south side of the road, and  
3 it's, like, a pull-over maneuver is what it  
4 looks like to me.

5 BY MR. WHITFIELD:

6 Q. Okay. Well, the vehicle, at least by  
7 virtue of Photograph 69 -- I mean, you agree  
8 with me that the vehicle is halfway on and  
9 halfway off the road, right?

10 A. The right-side tires are in the grass.

11 Q. Are in the grass. Okay.

12 Is that normal for a vehicle to be  
13 driving -- attempting to navigate a roadway if  
14 that vehicle is halfway on and halfway off the  
15 street?

16 A. If he's -- there's nothing else going  
17 on and you're just driving down the road,  
18 typically vehicles stay on the road.

19 Q. Right. So something was going on for  
20 that vehicle to be halfway on and halfway off  
21 the road when this vehicle came to a stop in  
22 gear, correct? Something was going on?

23 MS. RAVEENDRAN: Objection to form.

24 THE WITNESS: I mean, the vehicle pulled



1 over.

2 BY MR. WHITFIELD:

3 Q. Okay. Look at Picture No. 78, please.  
4 78, it's the next picture.

5 A. Oh, I was looking at 140.

6 MR. WHITFIELD: well, there should be -- that  
7 picture right there.

8 MS. LIND: 70.

9 MR. WHITFIELD: Oh, yeah. 70 was before  
10 that.

11 BY MR. WHITFIELD:

12 Q. Then Picture 78 at the bottom.

13 Do you see that, John?

14 A. I do see 78.

15 Q. Do you have that in front of you?

16 A. In front of me and on the screen.

17 Q. Okay. Good.

18 So do you -- would you agree with me  
19 when you read the testimony of Officer Cuevas,  
20 that that's the view of the vehicle that he had  
21 at or prior to the shooting?

22 A. I don't know where Officer Cuevas was  
23 standing.

24 Q. Look at the next picture, 140 and then



1 141. 140 and 141. Those are pictures that were  
2 taken at night after the incident.

3 A. Okay.

4 Q. So one of the reasons that I wanted to  
5 talk to you about this picture was this -- is  
6 that if you look at the running lights on the  
7 vehicle -- now, it's in gear and it's basically  
8 rotating at 500 RPMs, that the right side  
9 running lights are both illuminated, but the  
10 left side running lights are -- only one set is  
11 illuminated.

12 Do you see that?

13 A. Yes.

14 Q. Now, whenever somebody is operating a  
15 vehicle and they put their brakes on, do you --  
16 would you expect for another light to come on on  
17 the left-hand side if there was a dysfunction in  
18 the light itself?

19 A. Can you state that again?

20 Q. Well, I'm trying to figure out your  
21 position, I guess, one, on the maintenance; and  
22 then, two, what the witnesses say they would  
23 have seen.

24 The left-side running light is





1 partially dysfunctional, correct?

2 A. Yeah, it's the -- the left light's not  
3 on.

4 Q. The lower -- the lower grid is out,  
5 right?

6 A. Yes.

7 Q. Do you know whether the brake lights on  
8 this vehicle were completely all the way  
9 functional on the back of this vehicle?

10 A. I never tested the vehicle. I don't  
11 recall if that was part of the investigation  
12 report when they looked at the vehicle or not.  
13 I don't recall if that was established or not.

14 Q. Okay. Look at 20 -- 201 and 202.  
15 Those should be the next few pictures.

16 A. Yep, I see 201 right now.

17 Q. And then 20 -- 201 and then 202.

18 MR. WHITFIELD: Kaara, can you pull up 202?

19 And then -- yeah, you have all these in  
20 front of you.

21 And then pull up -- pull up 203 or look  
22 at 203.

23 BY MR. WHITFIELD:

24 Q. So you can see a little bit better of a



1 view in the daytime about the bushes and how  
2 close they were to the truck, can't you?

3 A. Well, I think 202 is better than 203.

4 Q. It is, it is.

5 A. Yeah.

6 Q. But you can see in the daytime the  
7 truck relative to the bushes better than you can  
8 at night -- than the night pictures, right?

9 A. Arguably. I think you can see where  
10 the bush is at at night as well.

11 Q. Well, you can see the bushes at night,  
12 but relative to the truck, especially if you're  
13 in front of the truck and you've got high beams  
14 on or light beams on in your face, it's a little  
15 difficult to see where the bushes are relative  
16 to the truck, correct?

17 A. High beams? What do you mean the "high  
18 beams"?

19 Q. Well, I showed you a picture a minute  
20 ago about the view that Officer --

21 A. Cuevas.

22 Q. -- Cuevas had in front of the vehicle,  
23 yeah.

24 A. Sure.



1 Q. Those beams.

2 A. So a person outside of the truck, yeah,  
3 it's probably easier to see the bush during the  
4 day. Yeah, a bush or --

5 Q. Say that again.

6 A. For a person outside of the truck, it's  
7 probably easier to see the bush, tree, branch,  
8 whatever is in there, during the day.

9 Q. During the day?

10 A. I would think so. Daylight.

11 Q. So you can see the bush -- the bushes  
12 better during the day than at night, right? Is  
13 that what you're saying?

14 MS. RAVEENDRAN: Objection; asked and  
15 answered.

16 THE WITNESS: Yeah, unless --

17 MR. WHITFIELD: I'm just trying to figure out  
18 what he just said.

19 BY MR. WHITFIELD:

20 Q. I mean, was it easier for an officer on  
21 the front of the vehicle to see the bushes  
22 relative to the truck better in the daytime or  
23 the nighttime?

24 A. Okay. So you're adding some context



1 there. From Officer Cuevas's general area, it  
2 was probably easier -- well, he wasn't there  
3 during the daytime, but it would be easier to  
4 see the bush during the daytime versus if he had  
5 headlights pointed in his direction -- general  
6 direction.

7 Q. Okay.

8 A. Especially if the truck is where it is  
9 right now, which is past the bush.

10 Q. Sure. Understood.

11 Then go to 213 and 214.

12 And the reason I wanted to show you 213  
13 and 214 -- and I promise, I'm about done -- was,  
14 you can see in the daytime the dash a lot easier  
15 than you can in some of these night pictures.  
16 There were a couple of night pictures of the  
17 dash.

18 And you've got a hard copy in front of  
19 you, and you can clearly see that the vehicle is  
20 idling right at or maybe even slightly below 500  
21 RPMs.

22 Do you see that?

23 A. Yes, I can see that.

24 Q. In the dial?



1 A. Yep.

2 Q. Do you see that?

3 Now, you mentioned a little while ago  
4 that the vehicle that you did a test drive on up  
5 in Chicago, a 2014 Chevy -- Chevy -- I mean, a  
6 GMC Sierra, that it idled at 500 RPMs as well?

7 A. As well as the one down in Louisiana.  
8 But yes.

9 Q. Did you document that?

10 A. Yeah, that would be in the photos.

11 Q. Photos of the vehicle?

12 A. Yeah, when I inspected the two  
13 exemplars, I should have taken a photo of the  
14 dash.

15 Q. With the -- with the --

16 A. Engine on.

17 Q. -- the car on or off?

18 A. Yeah, the engine running at idle.

19 Q. Okay. You say you should have.

20 So if we look at all your stuff after  
21 we get of comm, I should be able to find a  
22 picture of the dash of the 2014 and the 2015  
23 vehicle that you looked at, and I should be able  
24 to see that, consistent with your testimony,



1 they were both idling at 500 RPMs?

2 A. Yeah, I remember they both were, and I  
3 believe I documented it.

4 Q. well, you remembered that they were,  
5 but I didn't see it in your report. okay?

6 A. How about we pull up the photos? We  
7 can answer this right now.

8 Q. I don't know that I can put my hands on  
9 them as quickly as I would like. I mean, I know  
10 you sent them to us. So if we have them, then  
11 we have them. That would be -- that would be  
12 your confirmation. If we don't have them, then  
13 we don't have them.

14 That would be the confirmation,  
15 correct, would be the photos?

16 A. I mean, I don't need the photos. I  
17 remember that was one thing I was looking for.  
18 But I'm pretty sure that it was documented.

19 Q. okay. So the one thing that you were  
20 looking for, you didn't put in your report?

21 A. One of the things.

22 Q. well, one of the things that you were  
23 looking for, you didn't put in your report?

24 MS. RAVEENDRAN: I'm going to object.



1 BY MR. WHITFIELD:

2 Q. Because it's not in your report.

3 MS. RAVEENDRAN: I'm going to object. This  
4 is -- he has repeatedly testified that he looked  
5 for it and he documented it and that he just  
6 can't remember off the top of his head, but he  
7 believes that there's a picture. So...

8 MR. WHITFIELD: Okay. So I need to put you  
9 under oath, Bhavani, because you just told him  
10 what to say.

11 Look, I mean, I know we haven't been  
12 doing speaking objections until now, but, I  
13 mean, I hope we're not going to get to the point  
14 that we're going to be prompting our witnesses  
15 what to say.

16 MR. MULLINS: Let's see if we can wrap this  
17 up, guys.

18 MR. WHITFIELD: I don't know who that was.

19 MS. RAVEENDRAN: I believe that was Chuck.

20 MR. MULLINS: Chuck.

21 MR. WHITFIELD: Oh, hey, Chuck.

22 MR. MULLINS: Bill.

23 MR. WHITFIELD: Sir?

24 MR. MULLINS: I said, Bill.



1 MR. WHITFIELD: Oh, what did you say?

2 MR. MULLINS: I said, Bill.

3 MR. WHITFIELD: Yes, that's me. I'm here.

4 MR. MULLINS: All right. Let's go ahead.

5 MR. WHITFIELD: I'm hoping that we can.

6 BY MR. WHITFIELD:

7 Q. All I'm saying is, is that one of the  
8 things that you were looking for, John, was the  
9 RPMs, and it's not in your report, we know that.  
10 And you seem to remember having some pictures  
11 that you took of the dash on the two exemplars.

12 My point is, is that we should be able  
13 to find those pictures and look at the dash of  
14 those pictures and confirm that both of those  
15 vehicles were idling at 500 because that's one  
16 of the things that you were looking for,  
17 correct?

18 A. Oh, here, it is in the report.

19 Q. Sir?

20 A. I think it might be in the report. Let  
21 me see.

22 So on Page 26, I'm talking about the  
23 2014 GMC Sierra. I say, "The purpose of this  
24 second exemplar inspection was to measure how





1 many pounds of force it would take to prevent  
2 the truck from rolling while the engine was  
3 running at idle (approximately 500 RPM), and the  
4 vehicle was in drive." Then it talks about the  
5 test.

6 Q. Okay. Now, are you saying that the  
7 vehicle, by that comment, was -- was basically  
8 operating at 500 RPMs? Is that what you're  
9 saying?

10 A. Yes, it was.

11 Q. Okay. Well -- so, then, I guess since  
12 it did mean something to you, we should be able  
13 to go take -- we should be able to look at the  
14 photographs of the exemplars and we would see  
15 that at idle, both of those vehicles were idling  
16 at 500 RPM, right?

17 A. Yeah, I believe I documented that.

18 MR. WHITFIELD: Okay. Good.

19 All right. If you'll give me, guys,  
20 about 30 seconds, I am probably, if not done,  
21 close to being done.

22 Can you give me about a minute?

23 MS. RAVEENDRAN: Bill, I'm going to need a  
24 little longer than that. If you don't mind



1 giving us about ten minutes, I've really got to  
2 use the restroom. That's why I asked about 40  
3 minutes ago.

4 MR. WHITFIELD: You know, I'm so sorry. Time  
5 got away from me. I thought I was going to be  
6 done quicker.

7 MS. RAVEENDRAN: No problem.

8 MR. WHITFIELD: But, yes, why don't we take a  
9 ten so that I can talk to my colleagues here,  
10 and then we'll get back -- let's try to be back  
11 as quick as we can because it is -- gosh, it's  
12 almost 3:00. I've been having so much fun.

13 MS. RAVEENDRAN: You got it, Bill. We'll be  
14 back in 10 minutes. No problem.

15 MR. MULLINS: Bill, I think you might be the  
16 only one.

17 MR. WHITFIELD: That's having fun?

18 MR. MULLINS: That would be correct.

19 MR. WHITFIELD: Hey, you know what? I hear  
20 that a lot.

21 MR. MULLINS: I bet you do.

22 (Whereupon, a short break was  
23 taken.)  
24



1 BY MR. WHITFIELD:

2 Q. All right. Let me pick up where I last  
3 left off.

4 As far as the exemplar vehicles that  
5 you had a chance to drive, I think you indicated  
6 that you had actually -- I know you said  
7 something about driving the one up in Chicago.

8 Did you drive the one that you found  
9 down here in Louisiana?

10 A. I did.

11 Q. The 2015?

12 A. I did.

13 Q. Okay. Did you get out on the roadway  
14 and then drive it back, come back to the dealer?

15 A. Yeah, I think I went a half mile down,  
16 pulled a U-turn, came back.

17 Q. And came back to the car dealer that  
18 you -- that allowed you to drive it?

19 A. Correct.

20 Q. Was somebody in the car with you?

21 A. Yeah, both times, someone from the  
22 dealership.

23 Q. They were with you.

24 Did you ever find a spot that was



1 relatively flat that gave you the ability to  
2 mimic the terrain that Mr. Parker was on on that  
3 night, and then put it in drive and see whether  
4 the vehicle would actually move or not?

5 A. So when you say "relatively flat," I  
6 mean, both -- both parking lots had, you know,  
7 slight angles and both of them would roll  
8 forward even with the door open. That's  
9 something I definitely checked because that's  
10 what the investigating officers thought stopped  
11 the vehicle, or at least it was written in their  
12 reports.

13 Q. Well, that's not my question, but since  
14 you brought it up, I mean, do you know that GMC  
15 ever incorporated that particular feature into  
16 their vehicles, where if the door was open, the  
17 vehicle would not move forward if it was in  
18 drive? Do you know if they ever did that?

19 A. It's not a feature on that make and  
20 model. Like, newer vehicles have things like  
21 electronic parking brake, electronic shift to  
22 park, you know, hill hold, things like that that  
23 wasn't on the subject vehicle.

24 Q. Correct. I guess I'm just -- kind of



1 just trying to understand whether you knew that  
2 GMC incorporated that particular kind of -- you  
3 know, kind of an autostop feature in their  
4 vehicles, where the car would stop if you had  
5 the door open and the car wouldn't move.

6 I mean, are you familiar with that?

7 A. I --

8 Q. No? Yes? Maybe?

9 A. I thought I just told you three  
10 different systems that would -- that would stop  
11 the vehicle is automatic parking brake -- sorry,  
12 electronic parking brake so you don't have to  
13 push it with your left foot down.

14 Also, the newer vehicles had electronic  
15 shift. So some of them had the knobs, some of  
16 them had the stalk you knock up and down, but  
17 they don't have, you know, the mechanical shift.  
18 So that can electronically shift to park.

19 And then some vehicles have a hill hold  
20 to automatically apply the brake if it  
21 recognizes a hill.

22 So those are three different ways that  
23 newer vehicles -- nothing to do with our vehicle  
24 -- can do that.



1 Q. Right. So are you saying that there is  
2 not a feature in GMC's vehicles these days on  
3 any of their models that the car would stop  
4 automatically with the door open? Is that what  
5 you're saying? It's only those three that you  
6 cited?

7 A. No, that's not what I'm saying at all.  
8 I'm saying that modern vehicles, GMC, other  
9 manufacturers, have those features. The subject  
10 vehicle did not.

11 Q. I understand that. I'm not talking  
12 about this 2014 --

13 A. I know, but I feel like I've answered  
14 the question, like, three times now.

15 Q. Sir?

16 A. Yes.

17 Q. I'm not saying that this 2014 Sierra  
18 had a feature where the door would open and come  
19 to a stop. You made some comment about that in  
20 your report.

21 But I'm asking you, do you know whether  
22 GMC ever incorporated that into any of their  
23 models after this year? Do you know that?

24 A. I said that -- yes.



1 Q. Well, you only cited to three different  
2 examples of it. Okay? I didn't hear you say  
3 that you are familiar with GM incorporating a  
4 safety feature into any of their models'  
5 vehicles where if you had the door open, the car  
6 would stop. I didn't hear you say that.

7 A. I'm sure that GM has a feature. All  
8 modern cars have that feature. Not necessarily  
9 every make and model, but a lot of them do.

10 Q. Okay. I'm happy with that.

11 So I guess what I hear you saying,  
12 though, in terms of the exemplar vehicles, 2014  
13 and 2015 that you found, that you didn't take  
14 that out to any relatively flat terrain, kind of  
15 the same terrain on 25th Street that we saw that  
16 night, and you parked it half on and half off,  
17 half on grass, half on street, and then put the  
18 vehicle in drive and let it idle at 500 RPMs and  
19 see what it would do.

20 You didn't do that, did you?

21 A. No specific test, no. I didn't need  
22 to.

23 Q. Okay. All right. Huh?

24 A. I said I didn't need to.



1 Q. well, I mean, wouldn't it make a  
2 difference to you whether you had an exemplar  
3 vehicle that you could park half on and half off  
4 -- half on grass, half on street, put the car in  
5 drive, and see whether it would move? You're  
6 saying you didn't need to do that when that's  
7 exactly the issue in this case?

8 A. I measured the tractive force of the  
9 engine. I corrected for the slope on the  
10 vehicle I measured on. I don't know the exact  
11 conditions on the day of the accident. I know  
12 that two tires were in the grass. But, you  
13 know, how much moisture was in the grass, you  
14 know, it's easier -- it's better to calculate  
15 it.

16 Q. well, it's a little bit easier for a  
17 vehicle to roll on asphalt than it is on grass,  
18 isn't it?

19 A. Yes. That's why I describe in the  
20 report the rolling resistance coefficient --

21 Q. okay.

22 A. -- on asphalt versus grass.

23 Q. well, wouldn't you think it would be  
24 important for you to take one of those





1 exemplars, and go take it into a neighborhood  
2 somewhere, and find some spot where you could  
3 part it half on grass, half on pavement, and put  
4 it in drive and see whether it would move? I  
5 mean, that didn't kind of just interest you just  
6 as a -- as a theoretical alternative?

7 MS. RAVEENDRAN: Objection; asked and  
8 answered.

9 THE WITNESS: I'm sure I'd find grass that it  
10 would roll on and grass that it wouldn't roll  
11 on. It doesn't matter. It's not -- had no  
12 bearing on my opinions. Not all grass is  
13 exactly the same.

14 MS. RAVEENDRAN: Can you hear us, Bill?

15 MS. LIND: We can't hear y'all.

16 MS. RAVEENDRAN: We can't hear Bill anymore.

17 MS. LIND: Can y'all hear me if I'm talking?

18 MS. RAVEENDRAN: Yeah, Kaara, we can hear  
19 you.

20 MS. LIND: Can y'all hear me if I'm talking?

21 MS. RAVEENDRAN: Can you not hear us now?

22 MS. LIND: Bill got kicked off the call.  
23 I'll put it on video on my laptop right now.

24 MR. WHITFIELD: Tell them I'll call back in.



1 MS. RAVEENDRAN: Now we can hear Bill.

2 MS. LIND: I'm going to have Bill call back.

3 MR. WHITFIELD: I was literally looking at  
4 the phone, and just, like, all of a sudden, it  
5 just stopped.

6 (Off the record.)

7 BY MR. WHITFIELD:

8 Q. So I think you were in the middle of an  
9 explanation, and I'm trying to remember exactly  
10 the nature of it. I think that I was asking you  
11 a question about whether a vehicle would roll  
12 easier on pavement than it would on grass, and  
13 you were about to tell me something or you were  
14 about to testify.

15 A. Yeah, I said I agree, it's easier to  
16 roll -- there's less of a rolling resistance on  
17 pavement versus grass.

18 Q. All right. Do you know whether a  
19 vehicle -- that a vehicle would roll easier with  
20 two wheels on grass and two wheels on the  
21 pavement? Do you know that?

22 A. So two and two versus four on pavement?

23 Q. Yeah.

24 A. It would roll easier on just pavement.



1 Q. Okay. All right. It would require  
2 additional energy or additional force to make  
3 the vehicle overall move if you had two on  
4 pavement, two on grass?

5 A. It depends, I guess -- well, let me  
6 think about this.

7 Yeah, your rolling resistance force  
8 that's retarding the motion is going to be the  
9 weight of the vehicle times the rolling  
10 resistance of each wheel. So the rolling  
11 resistance coefficient of the wheels in the  
12 grass is going to be higher, so there's going to  
13 be a larger force retarding its motion. So you  
14 would need more force from the tractive effort  
15 from the engine going through to the wheels to  
16 propel it forward.

17 Now, that's --

18 Q. Right.

19 A. -- from a stop. Right? Obviously,  
20 it's different if you're going 5 miles an hour,  
21 10 miles an hour, whatever speed you're going.  
22 You're going to have momentum on your side.

23 Q. Right. Until you hit the brake?

24 A. I mean, if you hit the brake, you can



1 stop.

2 Q. Yeah. So if there were any rolling  
3 that were to occur after a stop, it would  
4 require the vehicle to generate enough energy to  
5 roll all four wheels forward, correct?

6 A. Right. After it stops and you release  
7 the brake and the vehicle rolls forward, that  
8 means the force generated by the vehicle is  
9 greater than the rolling resistance which is  
10 trying to stop the vehicle.

11 Q. Correct.

12 would you think, Mr. Stamm, that it  
13 would be better for you to have inspected and  
14 possibly even operated the Parker vehicle in  
15 this case rather than go get a facsimile or an  
16 exemplar vehicle?

17 A. I don't know if it would be better.  
18 It's always easier and I'd say cleaner because  
19 you don't have to describe the differences  
20 between the vehicles. But the ones I looked at  
21 were good matches for the subject vehicle.

22 Q. So the ones that you looked at were  
23 good matches except for the mileage, right?

24 A. They had different mileage, yes.



1 Q. Right. And the maintenance?

2 A. I'm sure the history of each vehicle is  
3 different.

4 Q. Correct, it would be.

5 We know that the mileage on the Parker  
6 vehicle was something over 135 and something  
7 short of 140 at the time of the accident -- or  
8 this incident, right?

9 A. That's what the CARFAX indicated.

10 Q. And out of all of the vehicles that you  
11 used as a facsimile -- well, the two vehicles  
12 that you used as a facsimile, none of them had  
13 the mileage that this particular vehicle owned  
14 by Mr. Parker had, correct?

15 A. I don't recall the mileage on the one  
16 in Louisiana. The one in the Chicagoland area,  
17 I know was over 100,000. I don't recall if it  
18 was above or below the Parker mileage.

19 Q. So since you didn't have the Parker  
20 vehicle to inspect and/or possibly drive, would  
21 having that vehicle, driving that vehicle,  
22 inspecting that vehicle, looking at that  
23 vehicle, would that have been better for you as  
24 an expert in terms of giving your opinion?



1 A. I don't see how it would change any of  
2 my opinions.

3 Q. Well, wouldn't the condition of the  
4 vehicle affect your opinion? Is it your  
5 testimony that the condition of the vehicle does  
6 not have anything at all to do with your  
7 opinions?

8 A. No. What I know of the subject vehicle  
9 is the make, the model, the fact that it was in  
10 drive, it was idling at 500 RPMs, similar -- you  
11 know, the same as the exemplar I tested to get  
12 my tractive force number. I utilized that from  
13 my calculations in the report, demonstrating how  
14 far it would roll.

15 I also was looking at is there any  
16 feature with the door being open to bring the  
17 vehicle -- to prevent it from rolling forward.  
18 There was nothing there. You know, I don't know  
19 how else to answer that.

20 Q. I understand.

21 Well, what I hear you saying is, is  
22 that if you had the original vehicle, knowing  
23 what we know about the condition of the vehicle,  
24 you're saying it wouldn't have made any



1 difference for your -- in your opinion that you  
2 would have had the vehicle involved in this  
3 particular event available for your inspection.

4 You're saying it wouldn't have made any  
5 difference?

6 A. I can't think of something that I  
7 needed to know for my opinions that I didn't --

8 Q. I mean, wouldn't it --

9 A. -- find out from the exemplars.

10 Q. Wouldn't the condition, though, of the  
11 engine and the condition of the transmission and  
12 the drivetrain, wouldn't that matter to you?

13 A. There's no evidence that anything was  
14 wrong with it.

15 Q. There's no evidence everything was  
16 right with it, either?

17 A. I mean, there's evidence that it's  
18 being driven on the road.

19 Q. Sir, if -- what did you just say?

20 A. I said there's evidence that it's being  
21 driven. I didn't see anything in the CARFAX  
22 that indicated there was anything significantly  
23 wrong with it.

24 Q. Okay. Yeah, but being driven on the



1 road doesn't mean the vehicle's in good  
2 condition, does it?

3 A. So if I reran that test I did in the  
4 exemplar when it was brand new, so that's the  
5 pull test with the exemplar, I would suspect to  
6 get similar numbers. I can't tell you how  
7 close, but it's going to be similar. It's not  
8 like you're going to get double and triple the  
9 force numbers. They're going to be close.

10 Q. okay. okay.

11 MR. WHITFIELD: All right. Well, look, I've  
12 had enough of you, which in legal parlance, that  
13 means I'm done.

14 THE WITNESS: Okay.

15 MR. WHITFIELD: Thank you so much for your  
16 patience with me. I know that at times, it's  
17 been a little testy.

18 THE WITNESS: That's all right. It's nice to  
19 meet you, Bill.

20 MS. RAVEENDRAN: And, Bill, I just had --

21 MR. WHITFIELD: Nice to meet you.

22 MS. RAVEENDRAN: -- a few follow-up questions  
23 here. It should --

24 MR. WHITFIELD: Ma'am?





1 MS. RAVEENDRAN: Can you hear me? I said I  
2 have a few follow-up questions. It should be  
3 brief.

4 MR. WHITFIELD: Okay. All right.

5 MS. RAVEENDRAN: I'm going to zoom out so you  
6 can see me, too, unless you prefer I stay in on  
7 the witness. It's your choice.

8 MR. WHITFIELD: You're going to have to lean  
9 into the camera so I can see you, Bhavani.

10 MS. RAVEENDRAN: Yeah, I don't know what it's  
11 doing. Well, I have an idea. I'll just move it  
12 out a little bit.

13 All right. You can see me?

14 MR. WHITFIELD: I can see you well.

15 MS. RAVEENDRAN: Okay. Great.

16 Yeah, just a couple questions.

17 EXAMINATION

18 BY MS. RAVEENDRAN:

19 Q. Okay. John, are all of the opinions in  
20 your report offered to a reasonable degree of  
21 certainty within your expertise in engineering?

22 A. They are.

23 MR. WHITFIELD: To which I object. There's  
24 not one word in his opinion about a reasonable



1 degree of probability or whatever. And I asked  
2 him that question a zillion times, and he said  
3 that they were all possibilities. So I object  
4 and I move to strike it.

5 And let the record reflect also that we  
6 took about a 10- or 15-minute break toward the  
7 end of my examination and that question.

8 MS. RAVEENDRAN: Hey, Bill, I'm going to  
9 refer you --

10 MR. WHITFIELD: So I object.

11 MR. RAVEENDRAN: I'm going to refer you -- I  
12 understand your objection, but I'm going to  
13 refer you to Page 1 of his report, second  
14 paragraph. "All opinions and conclusions stated  
15 in this report are based on my work to date on  
16 this matter, as well as my background,  
17 education, training, and experience, and are  
18 stated to a reasonable degree of engineering  
19 certainty."

20 MR. WHITFIELD: Okay. So I got it. And I  
21 understand that that's in there, but when you  
22 get to the opinions, the specific opinions, that  
23 word is not mentioned. In fact, the qualifier  
24 in every opinion that has any relevance at all



1 is, I don't know whether he was pushing the  
2 brake. Okay? That's the issue of this  
3 particular case. You can't say to a reasonable  
4 degree of medical -- engineering probability or  
5 possibility that that happened.

6 So you can't just take an umbrella and  
7 say everything in my opinion is to a reasonable  
8 degree of engineering probability when, in fact,  
9 the actual opinion is otherwise.

10 MS. RAVEENDRAN: Weren't you the one that  
11 said --

12 MR. WHITFIELD: So I object to that. We can  
13 take it up with the judge. That's fine. Ask  
14 your questions.

15 MS. RAVEENDRAN: You can file your --

16 MR. WHITFIELD: He can answer it.

17 MS. RAVEENDRAN: Hey, Bill, you can file your  
18 motion. You're the one who told me not to do  
19 speaking objections. I misspoke once, talked  
20 too much, and so I pulled back after that. So  
21 I'd appreciate the same courtesy.

22 I hear your objection. It's in his  
23 report. And I'll also point out it's also on  
24 Page 31 before all of the opinions and



1 conclusions.

2 So you might have a motion you want to  
3 file, but that is not appropriate here. I'm  
4 asking him what it says in his report.

5 MR. WHITFIELD: Look, you -- so, look, I got  
6 it. I understand that. I'm not prompting the  
7 witness -- I'm not prompting your witness. I'm  
8 just simply saying that the specific opinions  
9 that matter in this case, he has rendered them  
10 as a possibility only, not only in the report,  
11 but by his testimony.

12 MS. RAVEENDRAN: And I am --

13 MR. WHITFIELD: So I object to you coming  
14 along and taking this one paragraph that's  
15 somehow some catchall and saying all of my  
16 opinions in this letter are to a reasonable  
17 degree of engineering certainty, which is not  
18 so.

19 So, yes, I am going to file a motion to  
20 strike, and I move to strike that question and  
21 the answer.

22 BY MS. RAVEENDRAN:

23 Q. Okay. Well, I have another question  
24 for you, John.



1 If you could look at your report,  
2 Page 31, in the section that says, "10.0  
3 Opinions and Conclusions," does it state, "Based  
4 on my review and analysis of this case, and my  
5 education, training and experience as a  
6 professional engineer and an accident  
7 reconstructionist, I have the following  
8 questions [sic] held to a reasonable degree of  
9 engineering certainty," and then you list seven  
10 opinions? Is that right?

11 A. So just one change. You said  
12 "following questions," it's "following  
13 opinions."

14 Q. I misspoke, yeah.

15 A. But yes, that's what it says.

16 Q. Okay. I'm going to ask you  
17 specifically as to Opinions 6 and --

18 MR. WHITFIELD: which same objection, by the  
19 way. Same objection.

20 BY MS. RAVEENDRAN:

21 Q. I'm going to ask you to look at  
22 Opinions 6 and 7.

23 Opinions 6 and 7 both describe two  
24 different scenarios; is that right?



1 A. Correct.

2 Q. Where did you get information regarding  
3 two different scenarios on scene?

4 A. So that was based on my analysis of the  
5 vehicle, the path taken, the measurements. So  
6 there is the two different scenarios.

7 Q. Okay. And are those two different  
8 scenarios scenarios that came from witness  
9 testimony?

10 A. No.

11 Q. Okay. So those are the two scenarios  
12 under which you tested the probability of  
13 something occurring on scene; is that correct?

14 A. Correct --

15 MR. WHITFIELD: Object to the leading.

16 THE WITNESS: These are the two scenarios  
17 based on the physics of the scene and the  
18 vehicle.

19 BY MS. RAVEENDRAN:

20 Q. Okay. And within each scenario, are  
21 your opinions to a reasonable degree of  
22 engineering certainty?

23 A. Yes.

24 MR. WHITFIELD: Same objection, the one I



1 that I made before this one.

2 MS. RAVEENDRAN: Understood.

3 BY MR. WHITFIELD:

4 Q. And regarding opinions 6 and 7, is it  
5 your opinion, within a reasonable degree of  
6 certainty, that these are the two scenarios  
7 under which the truck could come to a stop where  
8 it was eventually found after the incident?

9 A. Yes.

10 Q. And I recall that you were responding  
11 to some questions from Bill about whether there  
12 was a possibility or a probability regarding the  
13 two scenarios.

14 Is it your testimony that each scenario  
15 is possible and that your opinions as to each of  
16 those scenarios are probable?

17 A. Yes.

18 Q. Okay. Thank you.

19 Is it your opinion -- strike that.

20 Do you have an opinion whether or not  
21 the bush near the grass where the GM -- 2014 GMC  
22 driven by Mr. Parker came to a stop has any  
23 relevance to the degree in which it stopped or  
24 where it stopped?



1 A. Yeah.

2 Q. What is that opinion?

3 A. Possibly scraping the bush is not going  
4 to stop the truck.

5 Q. You provided some calculations and  
6 data, pictures, and scans to defendant's counsel  
7 with regard to this deposition; is that right?

8 A. I did.

9 Q. Is that your work product of your  
10 methodology in this matter?

11 A. It is.

12 Q. Appendix A of your report indicates a  
13 number of documents that you received at the  
14 time that you provided this report for your  
15 disclosure; is that right?

16 A. It is.

17 Q. Is it correct that you have received a  
18 couple additional documents as they've been made  
19 available?

20 A. Yes.

21 Q. Okay. Do you recall that you received  
22 expert reports from the defendants and some  
23 discovery responses from Defendant Cuevas?

24 A. Yes.





1 Q. And I believe you may have received a  
2 recording of Mr. Markray; is that right?

3 A. I did.

4 Q. Okay. Did any of those documents  
5 change your opinions that you provided in this  
6 matter?

7 A. They did not.

8 Q. You described that you had some  
9 assistance creating dep summaries; is that  
10 correct?

11 A. Yes.

12 Q. For any of the depositions that you  
13 yourself did not summarize, did you go back and  
14 look at them?

15 A. Yes.

16 Q. Why is that?

17 A. Because I wanted to make sure that the  
18 summary was accurate.

19 Q. When you provided your opinions, were  
20 they based on any particular topics of science  
21 that you've studied?

22 A. Yeah, physics and mechanics.

23 Q. And what about engineering?

24 A. Yeah, it's all under engineering.



1 Q. Can you explain in engineering  
2 terminology what a radius is?

3 A. Sure. All the way across the circle is  
4 the diameter. Halfway across the circle is the  
5 radius.

6 Q. Would it be fair to say that you are  
7 not making credibility opinions with your  
8 report? You are not trying to say which  
9 witnesses are more or less believable?

10 A. That's true.

11 MS. RAVEENDRAN: That's all the questions I  
12 have.

13 THE WITNESS: Okay.

14 MR. WHITFIELD: I have a few, maybe a few or  
15 more than a few.

16 FURTHER EXAMINATION

17 BY MR. WHITFIELD:

18 Q. So we took about a 10- or 15-minute  
19 break a little while ago before we started into  
20 the direct.

21 Did you talk with Counsel about your  
22 testimony before you came in the room and  
23 answered questions from her on direct? Did you  
24 talk with her about the subject matter that we



1 were about to talk about?

2 A. We talked to each other.

3 Q. Did you go over the reasonable degree  
4 of medical -- reasonable degree of engineering  
5 probability, possibility, and all that? Did  
6 y'all talk about that?

7 A. I mean --

8 MS. RAVEENDRAN: I'm going to object to the  
9 point that this is confidential. But I'll  
10 advise him that he can -- well, I'm not sure  
11 where the line is here. I think he can talk  
12 about, like, the subjects, but not what was  
13 spoken to about it. Right?

14 MR. WHITFIELD: well, no, actually, I  
15 disagree with that. I think that to the extent  
16 that this witness remained under oath, I don't  
17 know that you had the privilege of being able to  
18 talk with him about proposed testimony once we  
19 got back on the record.

20 BY MR. WHITFIELD:

21 Q. And that's what I want to know, is  
22 whenever we took a break, did you talk with  
23 counsel about the questions that were just asked  
24 of you?



1 A. She told me that we were going to ask  
2 my opinions with a reasonable degree of  
3 engineering certainty.

4 Q. Okay. So that -- you knew that was  
5 coming, right?

6 A. I mean, they obviously are. I state it  
7 multiple times in my report.

8 Q. You talked with her about the words  
9 "reasonable degree of engineering certainty" at  
10 a break, and then came in and answered her  
11 questions about that particular topic, correct?

12 A. She said she was going to ask that.

13 Q. But she told you she was going to ask  
14 you some questions about it?

15 A. I stated in my report that all my  
16 opinions are to a reasonable degree of  
17 engineering certainty, and she said that she was  
18 going to ask about it and that...

19 Q. So you talked about it, right, John?

20 A. When you say --

21 Q. You talked about it?

22 A. I think I answered the question, did I  
23 not?

24 Q. I think you did.



1           So let me ask you this: So  
2       Ms. Raveendran asked you to look at the last two  
3       pages of your opinion on Pages 31 and 32. And  
4       as I appreciate her question, she asked you that  
5       your Opinions 1 through 7 represent two  
6       different scenarios. 6 and 7 are one set of  
7       scenarios and then 1 through 5 are another set.

8           MS. RAVEENDRAN: Objection. That was not my  
9       question.

10          MR. WHITFIELD: I'm trying to understand it.

11          MS. RAVEENDRAN: That was not my question.

12          THE WITNESS: That's --

13       BY MR. WHITFIELD:

14          Q.     Well -- so 6 and 7 represent scenarios,  
15       right?

16          A.     Correct.

17          Q.     Isn't that the question? Isn't that  
18       what she said?

19          MS. RAVEENDRAN: That was my question.

20       BY MR. WHITFIELD:

21          Q.     6 and 7 represent scenarios. And I  
22       guess one is -- juxtaposed to the other is  
23       different, right? Is that your opinion? Is --  
24       6 is one scenario and 7 is another scenario. Is



1 that what you wrote? Is that what she asked you  
2 and what you wrote?

3 A. So what I wrote in the report is  
4 there's a scenario where the truck was stopped  
5 before the shooting, and there's another  
6 scenario where the truck came to an immediate  
7 stop after the shooting.

8 Now, the rest of the opinion is based  
9 on my -- you know, it's to a reasonable degree  
10 engineering of certainty. It's based on the  
11 testing that I did and my calculations.

12 Q. Well -- so each scenario -- and I don't  
13 know that either scenario is particularly  
14 juxtaposed.

15 But either scenario, in your mind --  
16 both of those scenarios are what you are  
17 characterizing to a reasonable degree of  
18 engineering probability, right, but that one of  
19 them -- neither one of them is probable; they're  
20 just both possible, right? Is that what I heard  
21 you say?

22 A. So I can't say which scenario occurred.  
23 I can't say if the truck was stopped or not.

24 But under the scenario where the truck



1 was stopped, I describe -- let's see. If it was  
2 stopped prior to the shooting, the service brake  
3 was not applied, he had to be traveling very  
4 slow, and that's based on the calculations that  
5 I did and the testing. Alternatively, he could  
6 have applied the service brake to stop before  
7 the shooting. That's one scenario. All that's  
8 to a reasonable degree of engineering certainty.

9 The other scenario is if it was brought  
10 to an immediate stop after the shooting. And  
11 under that scenario, you had to apply the  
12 service brake. And that's based on my  
13 background and testing and everything I describe  
14 in the report, and that's to a reasonable degree  
15 of engineering certainty as well.

16 Q. But neither one of them is capable of  
17 being opined to a reasonable degree of  
18 engineering probability to the exclusion of the  
19 other? Both of them are possibilities, correct?

20 A. There's two scenarios. I can't  
21 eliminate either scenario.

22 Q. But both of them are possible, right?  
23 One or the other is possible. One's possible,  
24 the other one is possible.



1 But you're saying both of them are  
2 probable, but this one is possible and this  
3 one's possible under the umbrella of  
4 probability? Is that what you're saying?

5 A. I'm getting lost in your probabilities  
6 and possibilities.

7 Q. Okay. Here's -- I'm having a real hard  
8 time understanding your concept of what is and  
9 what is not probable.

10 No. 7 is not probable to the exclusion  
11 of 6, is it?

12 A. 6 and 7 both cannot be true at the same  
13 time. How about that?

14 Q. But neither one of them -- neither one  
15 of them is probable over the other?

16 A. Just based on the physical evidence,  
17 no, I can't say one way or the other.

18 MR. WHITFIELD: That's all I've got. Okay.  
19 All right.

20 MS. RAVEENDRAN: All right. I don't have any  
21 follow-up.

22 MR. WHITFIELD: Ma'am?

23 MS. RAVEENDRAN: Can you hear me?

24 MR. WHITFIELD: Okay.





1 MS. RAVEENDRAN: I just said I don't --

2 MR. WHITFIELD: I can hear you. I can see  
3 your mouth moving.

4 MS. RAVEENDRAN: I don't have any follow-up  
5 questions. That's all I'm adding.

6 (whereupon, the proceedings  
7 concluded at 3:31 p.m.)



1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF COOK )

4 I, GINA M. SYLVESTER, Certified Shorthand  
5 Reporter and Registered Professional Reporter,  
6 do hereby certify that heretofore, to-wit, on  
7 September 28, 2023, JOHN STAMM, P.E., appeared  
8 at 321 North Clark Street, Chicago, Illinois, in  
9 a cause now pending and undetermined in the in  
10 the United States District Court for the  
11 Southern District of Mississippi, Southern  
12 Division, wherein CATINA PARKER, as Personal  
13 Representative of the Estate of Leonard Parker,  
14 Jr., Deceased, is the Plaintiff, and the CITY OF  
15 GULFPORT, et al., are the Defendants.

16 I further certify that the said  
17 JOHN STAMM, P.E., was first duly sworn to  
18 testify the truth, the whole truth and nothing  
19 but the truth in the cause aforesaid; that the  
20 testimony then given by said witness was  
21 reported stenographically by me in the presence  
22 of the said witness, and afterwards reduced to  
23 typewriting by Computer-Aided Transcription, and  
24 the foregoing is a true and correct transcript

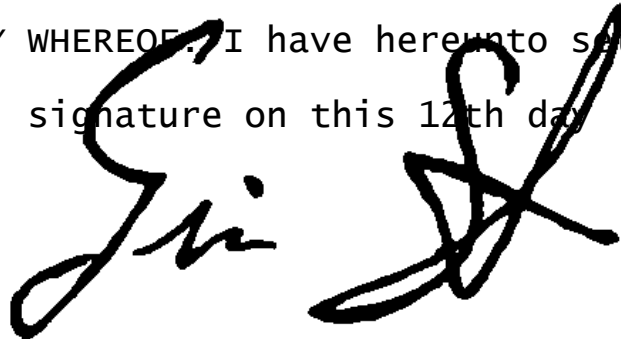


1 of the testimony so given by said witness as  
2 aforesaid.

3 I further certify that the taking of this  
4 deposition was pursuant to notice and that there  
5 were present at the deposition the attorneys  
6 hereinbefore mentioned.

7 I further certify that I am not counsel  
8 for nor in any way related to the parties to  
9 this suit, nor am I in any way interested in the  
10 outcome thereof.

11 IN TESTIMONY WHEREOF, I have hereunto set  
12 my verified digital signature on this 12th day  
13 of October, 2023.



14  
15  
16 GINA M. SYLVESTER, CSR, RPR  
17 License No. 084-004856  
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